



INDEX TO THE INDIAN STATUTES IN FORCE.

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# CHRONOLOGICAL TABLES

AND

## INDEX

OF

# THE INDIAN STATUTES

COMPILED UNDER THE ORDERS OF THE  
GOVERNMENT OF INDIA.


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VOL II

INDEX TO THE INDIAN STATUTES IN FORCE

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CALCUTTA,  INDIA  
SUPERINTENDENT GOVERNMENT  
1871



## NOTE TO SECOND EDITION.

THIS, the second edition of the Index of the Indian Statutes, includes all enactments in force at the close of the year 1910. The changes effected in the Statute-book by subsequent legislation while the present edition was passing through the press have been left out. An exception, however, has been made in the case of two Acts of the Governor General's Council, namely, the Criminal Tribes Act, 1871, and the Prevention of Seditious Meetings Act, 1907, which have been repealed with immediate effect by the Criminal Tribes Act, 1911, and the Prevention of Seditious Meetings Act, 1911, respectively; the two repealed Acts have been omitted, the repealing Acts being indexed in their place.

2. The present edition has been prepared on the same lines as its predecessor except that it has been considered unnecessary to notice partial repeals and textual amendments of Acts which are printed as modified by such repeals and amendments in the latest editions of the general or local Codes (as the case may be) published by Government.

3. Short titles of all Acts having short titles are entered in the Index with references to the titles and headings under which they have respectively been indexed.

4. An appendix has been added containing an index of private Acts which have not been republished.

SIMLA ;  
The 1st August 1911. }



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# LIST OF ABBREVIATIONS.

In this Work the following abbreviations are used.

ad.	.	.	.	added by.
Aj.	.	.	.	Ajmere-Merwara.
am.	.	.	.	amended by.
And.	.	.	.	Andaman and Nicobar Islands.
A.s.	.	.	.	Arakan Hill District.
As.	.	.	.	Assam.
Ben.	.	.	.	Bengal.
Ben. Act	.	.	.	Bengal Act.
Bo.	.	.	.	} Bombay.
Bom.	.	.	.	
Bom. Act	.	.	.	Bombay Act.
Br. Bal.	.	.	.	British Baluchistan.
Bu.	.	.	.	Burma, Upper and Lower.
Bur Act	.	.	.	Burma A. t.
Cal.	.	.	.	Calcutta.
C. P.	.	.	.	Central Provinces.
Co.	.	.	.	Coorg.
E. B.	.	.	.	Eastern Bengal.
E. B. & A. Act	.	.	.	Eastern Bengal and Assam Act.
Haz.	.	.	.	Hazara District of the Punjab.
ins.	.	.	.	inserted by.
Kar.	.	.	.	Karachi.
Lah.	.	.	.	Lahore.
L. B.	.	.	.	Lower Burma.
M.	.	.	.	} Madras.
Mad.	.	.	.	
Mad. Act	.	.	.	Madras Act.
N.-W. F.	.	.	.	North-West Frontier Province.
O.	.	.	.	Oudh.
Or.	.	.	.	Orissa.
P.	.	.	.	Punjab.
P. Act	.	.	.	Punjab Act.
pt rep.	.	.	.	repealed in part.
Ran.	.	.	.	Rangoon.
Reg.	.	.	.	Regulation.
rep. pt.	.	.	.	repealed in part.
Sub.	.	.	.	Suburbs.
U. B.	.	.	.	Upper Burma.
U. P. Act	.	.	.	United Provinces Act

# INDEX TO THE INDIAN STATUTES IN FORCE.

[Attention is directed to the Preface printed at p. vii *et seq.* of  
the volume of Chronological Tables.]

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ABKARI ACT (BOMBAY), 1878. (*See* EXCISE, 3) . . . . . Bom. Act 5, 1878.

" " (MADRAS), 1886. (*See* EXCISE, 3) . . . . . Mad. Act 1, 1886.

" " AMENDMENT ACT (BOMBAY), 1892. (*See* EX- } Bom. Act 3, 1892.  
CISE, 3) . . . . . }

" " (Amending Bom. Act 5, 1878) . . . . . Bom. Act 3, 1895.

ABOLITION OF TOWN DUTIES, &c., BOMBAY. (*See* TAXES) Act 19, 1844.

ACCESSION DECLARATION ACT, 1910. (*See* CORONATION; CROWN) 10, Edw. 7 & 1 Geo. 5, c. 29

## ACCIDENT.

On board ship, prevention of. *See* MERCHANT SHIPPING, 7.

" " " reports as to. *See* MERCHANT SHIPPING, 8 (4).

On railway. *See* RAILWAY.

*See also* ELECTRICITY, 2; FACTORIES; MINES.

ACKNOWLEDGMENT OF DEBTS, INTEREST; MORTGAGES. } B. m. Rec. 5, 1827  
(*See* DEBT, INTEREST) . . . . . }

ACQUISITION OF LAND. *See* LAND (INDIAN LAW), A. . . . .

ACT OF SETTLEMENT[4] (*See* ALIEN, 1; CHARTER; CORONA- } 12 Edw. 7, c. 7  
TION, CROWN, 1, 2) . . . . . }

ACTING JUDGES ACT, 1867. [*See* CIVIL COURTS 1; CRIMINAL } A. 46, 1867  
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## ACTS OF PARLIAMENT.

1859. 52-3 V. c. 63 (Interpretation).

## 1. Generally.

1896. [1] 59-60 V. c. 14 (Short Titles).

## 2. Interpretation of particular Words and Enactments.

## 1. Generally.

Sovereign: reference to, to mean sovereign for time being . . . . .	52-3V.c.63, s. 20.
Citation, mode of; short and collective titles . . . . .	52-3V.c.63, s. 25. 59-60V.c. 14 [1]
Commencement of . . . . .	52-3V.c.63, s. 36.
Amendment, repeal, etc., of, in same session allowed . . . . .	" s. 10.
Public, every Act after 1859 to be . . . . .	" s. 9.
Local, personal or private Act; application of Act of 1859 to . . . . .	" s. 39.
Repealed, not revived by repeal of repealing Act after 1859 . . . . .	" s. 11, 38.
" when continued till substituted provisions come into force . . . . .	" s. 11 (2).
" reference to provisions of, when re-enacted; saving of proceedings, etc., under . . . . .	" s. 38.
Every section of, to be substantive enactment . . . . .	" s. 8.
Appointments, rules, etc., between passing and commencement of Act . . . . .	" s. 27.
By-laws, rules, etc.; implied power to rescind, etc., under Act after 1859 . . . . .	" s. 32 (2).
Distance, how measured under Act after 1859 . . . . .	" s. 31.
Instrument authorized by Act; construction of words in . . . . .	" s. 31.
Offence under more than one law may be tried under any, but; punished only once . . . . .	" s. 32.
Penal Acts, application to bodies corporate . . . . .	" s. 2.
Powers and duties, construction of provisions as to exercise of . . . . .	" s. 32.

## 2. Interpretation of particular Words and Enactments.

" Ordinance Map "; " Statutory declaration "; " Writing " . . . . .	52-3V.c.63, s. 20, 21, 25.
" Affidavit "; " Land "; " Month "; " Oath "; " Swear "; in Acts after 1859 . . . . .	" s. 3.
" Financial year "; " Person "; in Acts after 1859 . . . . .	" s. 19, 22.
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Judicial definitions: " Supreme Court "; " High Court "; etc. . . . .	" s. 12.
" Rules of Court "; meaning of, in Acts after 1859; power to make further, or rescind . . . . .	" s. 14, 22.
" County Court " in Acts and Orders of Council after 1859 . . . . .	" s. 6.
" Committed for trial " and " service by post " in Acts after 1859 . . . . .	" s. 26, 27.
" British Islands "; " British Possession "; " British India "; " India "; " Governor "; in Acts after 1859 . . . . .	" s. 12.
" Colony "; " Colonial Legislature "; in Acts after 1859 . . . . .	" s. 12.
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[1] The short titles conferred by this Act have been entered in the Chronological Table of Acts of Parliament relating to India, and the collective name so conferred has in short cases been given in the future.

## ACTS AND REGULATIONS OF INDIAN LEGISLATURES.

1867. Mad. Act 1 (General Clauses).	1897. Act 10 (General Clauses).
1872. Act 4, s. 3 (Laws, Punjab).	" Act 14, s. 2 (Short Titles).
" Reg. 3, s. 3 (Laws, Sinthál Parganas).	1898. Act 13 (Laws, Burma).
1874. Act 15 (Laws Local Extent).	" Bur. Act 1 (General Clauses).
" Reg. 9, s. 3 (Laws, Arakan Hill District).	" P. Act 1 (General Clauses).
1875. Act 20, s. 3 (Laws, Central Provinces).	1899. Ben. Act 1 (General Clauses).
1876. Act 18, s. 3 (Laws, Oudh).	1900. Reg. 1, s. 4 (Laws, Chittagong Hill Tracts).
1877. Reg. 3, s. 3 (Laws, Ajmere).	1901. Act 11, s. 2, Sch. 1 (Short Titles).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).	" Reg. 7, ss. 4, 6 (Laws, North West Frontier).
1891. Mad. Act 1 (General Clauses).	1902. Act 7, s. 2 (Designation, United Provinces).
1894. Reg. 1, s. 3 (Laws, Angul).	1903. Act 1, s. 2, Sch. 1 (Short Titles).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).	1904. Bom. Act 1 (General Clauses).
1896. Mad. Act 2 (General Clauses).	" U. P. Act 1 (General Clauses).
" Reg. 5, s. 3 (Laws, Chitá Hills).	1905. Act 7, s. 2 (Laws, Bengal and Assam).
1897. Act 5, s. 4 (Short Titles).	1909. E. B. & A. Act 1 (General Clauses).

## 1. Generally.

## 2. Interpretation of particular Words and Enactments.

## 1. Generally.

Power to make. See GOVER

Citation of . . . .

Short titles given to several

Commencement of . . . .

Instances, recalculation of

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	Bur.Act1,1898,s.11.
	E.B.&A.Act1,1909,s.16.
Duty of customs or excise may be taken <i>pro rata</i> . . . . .	Mad.Act1,1891,ss.12,16.
	P.Act1,1898,s.10.
	U.P.Act1,1904,s.12.
	Act10,1897,s.25.
	Ben.Act1,1899,s.26.
	Bom.Act1,1904,s.26.
	Bur.Act1,1898,s.25.
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	Mad.Act1,1891,ss.12,19.
	P.Act1,1898,s.23.
	U.P.Act1,1904,s.25.
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	Ben.Act1,1899,ss.18to
	20.
	Bom.Act1,1904,ss.17to
	19.
	Bur.Act1,1898,ss.17to
	19.
Acts of Local Councils . . . . .	E.B.&A.Act1,1909,ss.22
	to24,8.
	Mad.Act1,1891,ss.4,9.
	P.Act1,1898,ss.15to17.
	U.P.Act1,1904,ss.17to
	19.
	Act10,1897,s.26.
	Ben.Act1,1899,s.27.
	Bom.Act1,1904,s.27.
	Bur.Act1,1898,s.26.
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	Mad.Act1,1891,ss.12,20.
	P.Act1,1898,s.24.
	U.P.Act1,1904,s.26.
	Act10,1897,s.14.
	Ben.Act1,1899,s.15.
	Bom.Act1,1904,s.14.
	Bur.Act1,1898,s.14.
Powers exerciseable from time to time . . . . .	E.B.&A.Act1,1909,ss.
	19,8.
	P.Act1,1898,s.12.
	U.P.Act1,1904,s.14.
Powers and duties may be exercised and performed—	
from time to time . . . . .	Mad.Act1,1891,ss.12,13.
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„ „ „ may be conferred and imposed by name or <i>ex officio</i> . . . . .	„ ss.12,17.
Power to appoint includes power to appoint <i>ex officio</i> . . . . .	Act10,1897,s.15.
	Ben.Act1,1899,s.16.
	Bom.Act1,1904,s.15.
	Bur.Act1,1898,s.15.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

1. Generally—*contd.*

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" " " " suspend or dismiss	{	Act10,1897,s.16. Ben.Act1,1899,s.17. Bom.Act1,1904,s.16. Bur.Act1,1898,s.16. E.B.&A.Act1,1909,s.21. P.Act1,1898,s.14. U.P.Act1,1904,s.16.
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Publication of rules, by-laws and draft rules or by-laws	{	Ben.Act1,1899,s.24. Bom.Act1,1904,s.24. Bur.Act1,1898,s.23. E.B.&A.Act1,1909,s.28. Mad.Act1,1891,ss.4,7. P.Act1,1898,s.21. U.P.Act1,1904,s.23.
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Act of Governor General in Council made after 3rd January, 1868, or Regulation of Governor General in Council made on or after 14th Janu- ary, 1887	{	Act10,1897,s.7.
Act of Local Council	{	Ben.Act1,1899,ss.8(a),9. Bom.Act1,1904,ss.7(a),8. Bur.Act1,1898,ss.5(a),6. E.B.&A.Act1,1909,s. 10(a),8,11. Mad.Act1,1867,s.3. Mad.Act1,1891,ss.2,4. 8(a),0(a). P.Act1,1898,ss.4(a),5. U.P.Act1,1904,ss.0(a),7.
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Act or Regulation of Governor General in Council	{	Act10,1897,s.6.
Act of Local Council	{	Ben.Act1,1899,s.9. Bom.Act1,1904,s.7. Bur.Act1,1898,s.5. E.B.&A.Act1,1909,ss. 10,8. Mad.Act1,1867,s.4. Mad.Act1,1891,ss.2,4,8. P.Act1,1898,s.4. U.P.Act1,1904,s.6.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*1. Generally—*contd.*

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			Bom. Act 1, 1904, s. 9.
			Bur. Act 1, 1898, s. 7.
			E. B. & A. Act 1, 1909, ss. 12, 8.
			Mad. Act 1, 1891, ss. 12, 18.
			P. Act 1, 1898, s. 6.
			U. P. Act 1, 1904, s. 8.
			Act 10, 1897, s. 24.
			Ben. Act 1, 1899, s. 25.
" " continuance of orders, etc., issued under, till substituted provisions come into operation . . . . .			Bom. Act 1, 1904, s. 25.
			Bur. Act 1, 1898, s. 24.
			E. B. & A. Act 1, 1909, ss. 29, 8.
			Mad. Act 1, 1891, ss. 12, 18.
			P. Act 1, 1898, s. 22.
Rules, orders, etc., made between passing and commencement of—			U. P. Act 1, 1904, s. 24.
			Act 10, 1897, s. 22.
			Ben. Act 1, 1899, s. 23.
			Bom. Act 1, 1904, s. 22.
			Bur. Act 1, 1898, s. 22.
" " Act of Local Council . . . . .			E. B. & A. Act 1, 1909, s. 27.
			Mad. Act 1, 1891, ss. 4, 6.
			P. Act 1, 1898, s. 20.
			U. P. Act 1, 1904, s. 22.
			Act 10, 1897, s. 20.
" " expressions used in, to have same meaning as in Act or Regulation . . . . .			Ben. Act 1, 1899, s. 21.
			Bom. Act 1, 1904, s. 20.
			Bur. Act 1, 1898, s. 20.
			E. B. & A. Act 1, 1909, s. 25.
			Mad. Act 1, 1891, ss. 4, 10.
			P. Act 1, 1898, s. 18.
			U. P. Act 1, 1904, s. 20.
			Act 10, 1897, s. 21.
			Ben. Act 1, 1899, s. 22.
			Bom. Act 1, 1904, s. 21.
" " may be rescinded or modified . . . . .			Bur. Act 1, 1898, s. 21.
			E. B. & A. Act 1, 1909, s. 26.
			Mad. Act 1, 1891, ss. 12, 15.
			P. Act 1, 1898, s. 19.
			U. P. Act 1, 1904, s. 21.
			Act 10, 1897, s. 24.
			Ben. Act 1, 1899, s. 25.
			Bom. Act 1, 1904, s. 25.
			Bur. Act 1, 1898, s. 24.
			E. B. & A. Act 1, 1909, ss. 29, 8.
" " issued under repealed Act or Regulation; continuance of . . . . .			Mad. Act 1, 1891, ss. 12, 18.
			P. Act 1, 1898, s. 22.
			U. P. Act 1, 1904, s. 24.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

1. Generally—*contd.*

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Time ; mode of indicating commencement and termination of . . . . .	<div> <div>Act10,1897,s.9.</div> <div>Ben.Act1,1899,s.11.</div> <div>Bom.Act1,1904,s.10.</div> <div>Bur.Act1,1898,s.8.</div> <div>E.B.&amp;A.Act1,1909,ss.13,8.</div> <div>Mad.Act1,1891,ss.4,9.</div> <div>P.Act1,1898,s.7.</div> <div>U.P.Act1,1904,s.9.</div> </div>
„ computation of, when Court or office closed . . . . .	<div> <div>Act10,1897,s.10.</div> <div>Ben.Act1,1899,s.12.</div> <div>Bom.Act1,1904,s.11.</div> <div>Bur.Act1,1898,s.9.</div> <div>E.B.&amp;A.Act1,1909,ss.14,8.</div> <div>Mad.Act1,1891,ss.4,11.</div> <div>P.Act1,1898,s.8.</div> <div>U.P.Act1,1904,s.10.</div> </div>
„ power, on extending Act to any place, to notify time at which it shall come into force in that place . . . . .	Mad.Act1,1891,ss.12,22.
Construction of enactments, rules, etc., prior to General Clauses Act not governed by that Act by reason of subsequent amendment, continuance, etc. . . . .	<div> <div>Act.10,1897,s.29.</div> <div>Ben.Act1,1899,s.30.</div> <div>Bom.Act1,1904,s.30.</div> <div>E.B.&amp;A.Act1,1909,s.34.</div> </div>
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Construction of references to "North-Western Provinces and Oudh," etc. . . . .	Act7,1902,s.2.
Construction of certain references in enactments in force in territories transferred to or from Bengal and in Assam at the commencement of Act 7, 1905 . . . . .	Act7,1905,ss.3,5,Sch.D.
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throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . .	„ s.6,Sch.IV.
throughout the Province of Agra, except as regards the Scheduled Districts . . . . .	„ s.7,Sch.V.



ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*1. Generally—*contd.*

Act 15, 1874 (Laws Local Extent), declared (except ss. 4 to 7) to be in force in the Arakan Hill District . . . . . }	Reg 9, 1874, s. 3.
Act 15, 1874, not to affect certain powers etc. . . . . }	Act 15, 1874, s. 8.
Certain enactments declared in force—	
in Ajmere . . . . .	Reg 3, 1877, s. 3.
in Angul District (Bengal) . . . . .	Reg. 1, 1894, s. 3.
in the Santhal Parganas (Bengal) . . . . .	Reg. 3, 1872, s. 3.
in British Baluchistan . . . . .	Reg 1, 1890, s. 3.
in Chittagong Hill Tracts . . . . .	Reg. 1, 1900, s. 4, Sch.
in the Arakan Hill District (Lower Burma) . . . . .	Reg. 9, 1874, s. 3.
in Upper Burma (except the Shan States) . . . . .	Act 13, 1898, s. 4, Sch I.
in certain tracts in the Chin Hills (Upper Burma) . . . . .	Reg. 5, 1896, s. 3.
in Kachin Hill Tracts, as regards hill-tribes (Upper Burma) . . . . .	Reg 1, 1895, s. 3.
in the Central Provinces . . . . .	Act 20, 1875, s. 3.
in Oudh . . . . .	Act 18, 1876, s. 3.
in the Punjab . . . . .	Act 4, 1872, s. 3.
in the North-West Frontier Province . . . . .	Reg. 7, 1901, s. 4.
Certain tracts removed from operation of. See DE-REGULA- TIONISED TRACTS.	

## 2. Interpretation of Particular Words and Enactments.

## (a) ACTS AND REGULATIONS OF THE GOVERNOR GENERAL IN COUNCIL.

Masculine, plural, etc., words . . . . .	Act 10, 1897, s. 13.
"Affidavit," "Barrister," "British India," "District Judge," "Father," "Government of India," "Her Majesty" or "the Queen," "High Court," "Immoveable Property," "Imprisonment," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Person," "Section," "Son," "Swear," "Will" and "Year," in Acts from 3rd January, 1868, and Regulations from 14th Janu- ary, 1887 . . . . . }	.. ss 3, 4(1).
"Abet," "Chapter," "Commencement," "Financial Year," "Local Authority," "Master" (of a ship), "Offence," "Part," "Public Nuisance," "Registered," "Schedule," "Ship," "Sign," "Sub-section" and "Writing," in Acts and Regulations from 14th January, 1887 . . . . . }	.. ss. 3, 4(2).
"Act" (used with reference to an offence or a civil wrong), "Bengal Act," "Bombay Act," "British Possession," "Burma Act," "Collector," "Colony," "Commissioner," "Consular Officer," "Document," "Enactment," "Good Faith," "Government," "India," "Madras Act," "North- Western Provinces and Oudh Act," "Political Agent," "Pre- sidency-town," "Privy Council," "Province," "Punjab Act," "Regulation," "Rule," "Scheduled District," "United Provinces Act" and "Vessel," in Acts and Regula- tions from 11th March, 1897 . . . . . }	" s. 3.
"North-Western Provinces and Oudh," "North-Western Pro- vinces," "Province of Oudh," "Lieutenant-Governor of the North-Western Provinces" "Lieutenant-Governor of the North- Western Provinces and Oudh in Council," and "Chief Commis- sioner of Oudh," in Acts and Regulations prior to 7th January, 1904 . . . . . }	U.P. Act 1, 1904, s. 29.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

2. Interpretation of Particular Words and Enactments—*contd.*

(b) ACTS OF THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

Masculine, plural, etc., words	Ben. Act 1, 1899, s. 14.
"Abet," "Act," "Barrister," "Bengal," "Bengal Act," "Chapter," "Collector," "Commencement," "Commissioner," "Consular Officer," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Good Faith," "Government," "Government of India," "Her Majesty" or "the Queen," "Immoveable Property," "Imprisonment," "Local Authority," "Local Government," "Master," "Moveable Property," "Offence," "Part," "Person," "Public Nuisance," "Registered," "Regulation," "Rule," "Schedule," "Scheduled District," "Section," "Ship," "Sign," "Son," "Sub-section," "Vessel," "Will," "Writing" and "Year," in Acts from 18th January, 1899	" s. 3.
"Affidavit," "Magistrate," "Month," "Oath" and "Swear," in Acts from 1st June, 1867	" ss. 3, 4.
"Land" and "Person" in Acts between 1st June 1867 and 18th January, 1899	" s. 5.

(c) REGULATIONS AND ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL.

Masculine, plural, etc., words	Bom. Act 1, 1904, s. 13.
"Abet," "Affidavit," "British India," "Chapter," "City of Bombay," "Collector," "Commissioner," "Good Faith," "Government of India," "Immoveable Property," "Imprisonment," "Magistrate," "Month," "Moveable Property," "Oath," "Part," "Person," "Presidency of Bombay," "Schedule," "Section," "Swear," "Vessel," "Writing," "Year"	" ss. 3, 4.
"Act," "Barrister," "Bombay Act," "Bombay Government Gazette," "Bombay Presidency," "Commencement," "Consular Officer," "District Judge," "Document," "Enactment," "Father," "Financial Year," "High Court," "His Majesty," "the King," "Local Authority," "Local Government," "Master," "Offence," "Public Nuisance," "Registered," "Regulation," "Rule," "Scheduled District," "Ship," "Sign," "Son," "Sub-section," "Will," in Bombay Acts from 30th May, 1904	" s. 3.

(d) ACTS OF THE LIEUTENANT-GOVERNOR OF BURMA IN COUNCIL.

Masculine, plural, etc., words	Bur. Act 1, 1893, s. 12.
"Abet," "Act," "Affidavit," "Barrister," "British India," "British Possession," "Burma," "Burma Act," "Chapter," "Chin Hills," "Chins," "Collector," "Colony," "Commencement," "Commissioner," "Consular Officer," "Deputy Commissioner," "District Court," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Gazette," "Good Faith," "Government" or "the Government," "Government of India," "Her Majesty," "Immoveable Property," "Imprisonment," "India," "Kachin Hill Tract," "Kachin Hill-tribe," "Local Authority," "Local Government," "Magistrate," "Master," "Month," "Moveable Property," "Notification," "Oath," "Offence," "Part," "Person," "Political Agent," "Privy Council," "Province,"	" s. 2.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*2. Interpretation of Particular Words and Enactments—*contd.*(d) ACTS OF THE LIEUTENANT-GOVERNOR OF BURMA IN COUNCIL—*contd.*

" Public Nuisance," " the Queen," " Rangoon Town," " Registered," " Regulation," " Rule," " Schedule," " Scheduled District," " Section," " Shan State," " Ship," " Sign," " Son," " Sub-section," " Swear," " Vessel," " Will," " Writing" and " Year "	Bur.Act,1898,s.2.
" Lower Burma," " Upper Burma "	" s.3.

## (e) ACTS OF THE LIEUTENANT-GOVERNOR OF EASTERN BENGAL AND ASSAM IN COUNCIL.

Masculine, plural, etc., words	E.B.&A.Act1,1900,s.17.
" Abet," " Act," " Affidavit," " Assam," " Assam Regulation," " Barrister," " Bengal Act," " British India," " British Possession," " Chapter," " Collector," " Colony," " Commencement," " Commissioner," " Consular Officer," " Deputy Commissioner," " District Court," " District Judge," " Document," " Eastern Bengal," " Eastern Bengal and Assam," " Eastern Bengal and Assam Act," " Enactment," " Father," " Financial Year," " Gazette," " Good Faith," " Government," " Government of India," " High Court," " His Majesty " or " the King," " Immoveable Property," " Imprisonment," " India," " Local Authority," " Local Government," " Magistrate," " Master " (of a ship), " Month," " Moveable Property," " Notification," " Oath," " Offence," " Part," " Person," " Political Agent," " Privy Council," " Province," " Public Nuisance," " Registered," " Regulation," " Rule," " Schedule," " Scheduled District," " Section," " Ship," " Sign," " Son," " Sub-section," " Swear," " Vessel," " Will," " Writing," " Year "	" ss 5,8.
" Affidavit," " Land," " Magistrate," " Month," " Oath," " Person," " Swear," in Bengal Acts between 1st June, 1867, and 18th January, 1899	" ss.6,7.

## (f) ACTS OF THE GOVERNOR OF FORT ST. GEORGE IN COUNCIL.

Masculine, plural, etc., words, in Acts from 1891	Mad.Act 1,1891,s 3(3f). (35).
Words referring to acts done extend to illegal omissions (Acts from 1891)	" s. 3(36).
Words and expressions referred to in Indian Penal Code, Chapter II, or in Code of Criminal Procedure, 1882, Chapter I (Acts from 1867 to 1890)	Mad Act1,1867,s 1. Mad Act1,1891,s.2.
" Magistrate of Police " and " Town of Madras," in Acts from 1867 to 1890	Mad.Act1,1867,s.2. Mad Act1,1891,s.2.
" Abet," " Affidavit," " Barrister," " British India," " Chapter," " City of Madras," " Collector," " Commencement," " District Collector," " Document," " Father," " Financial Year," " Good Faith," " Her Majesty," " Immoveable Property," " Imprisonment," " Judicial Proceeding," " Local Authority," " Local Government," " Magistrate," " Month," " Moveable Property," " Oath," " Offence," " Part," " Person," " Place," " Presidency of Madras," " Presidency-town," " Public," " Public Nuisance," " Registered," " Schedule," " Section," " Sign," " Son," " Sub-section," " Swear," " Value," " Will," " Writing " and " Year," in Acts from 1891	" s.3.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

2. Interpretation of Particular Words and Enactments—*concla.*

(g) ACTS OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB IN COUNCIL.

Masculine, plural, etc., words . . . . .	U.P.Act1,1898,s.11.
"Abet," "Act," "Affidavit," "Barrister," "British India," "British Possession," "Chapter," "Chief Court," "Col- lector," "Colony," "Commencement," "Commissioner," "Consular Officer," "Deputy Commissioner," "District Judge," "Document," "Enactment," "Father," "Finan- cial Commissioner," "Financial Year," "Gazette," "Good Faith," "Government," "the Government," "Government of India," "Her Majesty," "Immoveable Property," "Imprison- ment," "India," "India Act," "Local Authority," "Local Government," "Magistrate," "Master," "Month," "Move- able Property," "Notification," "Oath," "Offence," "Part," "Person," "Political Agent," "Privy Council," "Province," "Public Nuisance," "Punjab," "Punjab Act," "Queen," "Registered," "Rule," "Schedule," "Scheduled District," "Section," "Ship," "Sign," "Son," "Sub-section," "Swear," "Vessel," "Will," "Writing," "Year" . . .	" s.2.

(h) ACTS OF THE LIEUTENANT-GOVERNOR OF THE UNITED PRO-  
VINCES IN COUNCIL.

Masculine, plural, etc., words . . . . .	U.P.Act1,1904,s.13.
"Abet," "Act," "Affidavit," "Agra," "Assistant Collector," "Barrister," "Board of Revenue," "Chapter," "Collector," "Commencement," "Commissioner," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Gazette," "Good Faith," "Government of India," "Grow- ing Crops," "High Court," "His Majesty" or "the King," "Immoveable Property," "Imprisonment," "Local Author- ity," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Offence," "Part," "Person," "Public Nuisance," "Registered," "Regula- tion," "Rule," "Schedule," "Scheduled District," "Sec- tion," "Sign," "Son," "Sub-section," "Swear," "United Provinces," "United Provinces Act," "Vessel," "Will," "Writing" and "Year" . . . . .	" s.4.
"North-Western Provinces and Oudh," "North-Western Pro- vinces," "Province of Oudh," "Lieutenant-Governor of the North-Western Provinces," "Lieutenant-Governor of the North-Western Provinces and Oudh in Council," "Chief Commissioner of Oudh," in Acts prior to 7th January, 1904 . .	" s.29.

ADDITIONAL POLICE. See DISTURBED DISTRICT; POLICE, I.

ADEN.

1. Status and Laws.

Aden is a Scheduled District . . . . .	Act14,1874,s.1,Sch.I, Pt.III. Act15,1874,s.2,Sch.VI, Pt.II.
"Aden," in past and future enactments and rules, what to include Enactments in force in part of "Aden" to extend to the whole of that place . . . . .	Reg 2,1891,s.2. " s.3.
Power to except whole or part of Aden from operation of any enactment . . . . .	" s.4.

ADEN—*contd.*

## 2. Administration of Justice.

## Civil Justice :

Jurisdiction of Resident and his Assistants . . . . .	Act 2, 1864, ss. 2 to 7.
No appeal from Resident's decisions, but he may refer questions of law, etc., to High Court, Bombay . . . . . }	" ss. 8 to 13.
Small Cause Court powers . . . . .	" s. 14.
Resident to be guided by spirit and principles of Bombay laws . . . . .	" s. 15.
Application of Code of Civil Procedure . . . . .	" s. 16.

## Criminal Justice :

Jurisdiction of Resident and his Assistants . . . . .	" ss. 17 to 22.
Application of Code of Criminal Procedure . . . . .	" ss. 18, 20, 23, 27.
European British subjects charged with offences punishable with death, to be tried by High Court, Bombay . . . . . }	" s. 21.
" " " charged with certain other offences to be tried by Resident . . . . . }	" s. 22.
Europeans and Americans to be tried by jury; procedure . . . . .	" ss. 24 to 27.
Sentence of death; confirmation and commutation of . . . . .	" s. 28.
No appeal from sentence of Resident, but he may reserve point of law for opinion of Bombay High Court; review by that Court . . . . . }	" ss. 29, 30.
Power of High Court, Bombay, to make rules . . . . .	" s. 31.
Court of Resident declared to be a Colonial Court of Admiralty . . . . .	Act 16, 1891, s. 2.

## 3. Management of Local Affairs.

Aden Settlement Regulation, 1900, to extend to whole of Aden excepting cantonments . . . . . }	Reg. 7, 1900, s. 1.
" " Resident," defined . . . . .	" " s. 2.
Executive committee, establishment, incorporation and power of; Resident to act till constitution of . . . . . }	" ss. 5, 13, 22.
Officers and servants, appointment, pensions, leave allowances, etc., of . . . . . }	" ss. 7 to 10.
Power to make rules and by-laws for conduct of business, appointment, etc., of officers and servants, execution of contracts, etc. }	" ss. 13, 17.
Aden Settlement Fund; constitution, management, control and application of; account and audit . . . . . }	" ss. 3, 4, 6, 13.
Public buildings, etc., public markets, slaughter-houses, water-courses, waterworks, drains, sewers, lamps, streets, etc., and all land transferred for public purposes, etc., management, control and application of . . . . . }	" ss. 4, 13.
Power to impose cesses, taxes, tolls, etc.; recovery of arrears . . . . .	" ss. 11, 13, 19.
Public nuisances, power to deal with . . . . .	" ss. 12, 13.
Power of Resident to make rules as to constitution, etc., of executive committee, execution of contracts, account and audit, Aden Settlement Fund, assessment and collection of taxes, etc., occupation, transfer, registration, etc., of land, registration of births, marriages and deaths, census, matters relating to public health, . . . . . }	" ss. 13 to 15.
penalty for breach of rules . . . . .	" s. 20.
Prosecutions, institution of . . . . .	" s. 20.

ADEN—*concl'd.*

3. Management of Local Affairs—*concl'd.*

Police, duties of ; power to arrest without warrant . . . . .	Reg.7,1900,s.21.
Rules and by-laws to be printed and sold . . . . .	" s.18.

4. Pilgrims and Indigent Persons.

Definitions . . . . .	Reg.11,1887,s.2
Pilgrims: lodgment of . . . . .	" s.3.
" power to make rules as to accommodation for, sanitation } of places of accommodation, fees, etc. . . . . }	" s.4.
" penalty on, for breach of Act or rule . . . . .	" s.5.
" recovery of fees from . . . . .	" s.6.
" or indigent persons ; power to prohibit landing of ; } penalties . . . . . }	" ss.7,8.
" " " written statement by Resident, } etc., conclusive proof as to } whether persons are . . . . . }	" s.9.

ADEN ARMS (SEA-TRAFFIC) REGULATION, 1910. ( <i>See</i> ARMS, } AMMUNITION AND MILITARY STORES, 4) . . . . . }	Reg.3,1910.
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ADEN LAWS REGULATION, 1891 ( <i>See</i> ADEN, 1) . . . . .	Reg.2,1891.
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ADEN PILGRIMS AND PAUPERS REGULATION, 1887. ( <i>See</i> } ADEN, 4) . . . . . }	Reg.11,1887.
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ADEN PORT TRUST ACT, 1888. [ <i>See</i> CUSTOMS (Sea); MERCHANT } SHIPPING, 9; PORT I,2,5, PORT COMMISSIONERS, &c. II . . . }	Bom.Act5,1888.
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ADEN SETTLEMENT REGULATION, 1900. [ <i>See</i> ADEN, 3; } CANTONMENT, 1, CENSUS; LAND (INDIAN LAW), D; NUISANCE]. }	Reg.7,1900.
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ADMINISTRATION OF ESTATES (ENGLISH LAW).	
Certain Indian Government securities to be deemed personal } estate in England . . . . . }	23-4V.c.5,s.1.
Grant of administration of foreigner's goods to foreign consul, } etc. . . . . }	
Property of alien, application of, where administration granted to } foreign consul . . . . . }	24-5V.c.121,s.4.
Sealing and effect of probate in United Kingdom when granted by } Court of British Possession or British Court out of Her Majesty's } dominions . . . . . }	55-6V.c.6.

ADMINISTRATION OF ESTATES (INDIAN LAW).

1799. Ben. Reg. 5 (Wills and Intestacies of Natives)	1866. Act 28, ss. 25 to 28, 38, 40 to 43, 45 (Powers of Executors and Administrators).
1802. Mad. Reg. 3, s. 16 (Administration).	" Bom. Act 12, s. 12 (Curators, Sindh).
1827. Ben. Reg. 5 (Management of Estates).	1870. Act 21, ss. 2, 4 (Wills of Hindus, etc.).
" Bom. Reg. 8 (Administration).	1872. Reg. 3, s. 3 (Laws, Santhal Parganas).
1829 Mad. Reg. 5, ss. 1, 2, 3 (Wills of Hindus).	1874. Act 2, s. 66 (Administrator General).
1841. Act 19 (Curators).	" Act 15, ss. 3 to 7 (Laws Local Extent).
1855. Act 12 (Torts).	1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1858. Act 40 (Repeal).	1875. Act 20, s. 3 (Laws, Central Provinces).
1865. Act 10, ss. 3, 179 to end (Probate and Administration).	1877. Reg. 3, s. 3 (Laws, Ajmere).
1866. Act 27, ss. 3, 7, 20, 24 to 29, 34, 43, 48, 51 to 53 (Powers of High Court)	1881. Act 5 (Probate and Administration).
	1886. Act 19, s. 2 (Powers of Lieutenant-Governor, Agra).

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

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| 1887. Act 12, ss. 1, 23 (Civil Courts, Assam, Bengal, Agra). | 1898. Act 13, s. 4, Sch. 1 (Laws, Burma).                                  |
| 1889. Act 6 (Probate and Administration).                    | 1901. Act 7 (Administration, Native Christians).                           |
| „ Act 7 (Collection of Debts).                               | 1902. Bom. Act 4, s. 50 (Police, Bombay City).                             |
| 1890. Reg. 1, s. 3 (Laws, British Baluchistan).              | „ Act 5, ss. 4 (2), 5 (2), 7 (Administrator General and Official Trustee). |
| 1894. Reg. 1, s. 3 (Laws, Angul).                            | 1905. Act 7 (Laws, Bengal and Assam).                                      |
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| 1. Preliminary.   | 4. Wrongful possession of property of deceased. |
| 2. Grant of Probates and Letters of Administration.               | 5. Collection of Debts on succession.           |
| 3. Rights, Powers and Liabilities of Executors and Administrators | 6. Special and Local.                           |

## I. Preliminary.

Act 19, 1841 (Curators in cases of succession)—

declared in force—

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| throughout British India, except as regards the Scheduled Districts               | Act 15, 1874, s. 3.      |
| in the Arakan Hill District (with modifications, and with the exception of s. 16) | Reg. 9, 1874, s. 3.      |
| extended to Sindh   | Bom Act 12, 1866, s. 12. |

Act 10, 1865 (Indian Succession Act)—

applies to whole of British India . . . . . Act 10, 1865, s. 2.

declared in force in—

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| the Santhal Parganas   | Reg. 3, 1872, s. 3, Sch.    |
| the Arakan Hill District (but not so as to affect Native Christians) | Reg. 9, 1874, s. 3.         |
| Upper Burma generally (except the Shan States)                       | Act 13, 1893, s. 4, Sch. 1. |
| British Baluchistan  | Reg. 1, 1890, s. 3.         |

Act 28, 1866 (Powers of Executors and Administrators), declared in force throughout British India, except as regards the Scheduled Districts

Act 15, 1874, s. 3.

Act 21, 1870 (Hindu Wills Act)—

applies to Bengal and the towns of Madras and Bombay	Act 21, 1870, preamble.
declared in force in the Santhal Parganas	Reg. 3, 1872, s. 3.

Act 13, 1875 (Probate and Administration), declared in force in—

the Santhal Parganas	Reg. 3, 1872, s. 3.
Upper Burma generally (except the Shan States)	Act 13, 1893, s. 4, Sch. 1.

Act 5, 1881 (Probate and Administration)—

applies to whole of British India . . . . . Act 5, 1881, s. 1.

declared in force in—

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| the Santhal Parganas (s. 154)                  | Reg. 3, 1872, s. 3.         |
| Upper Burma generally (except the Shan States) | Act 13, 1893, s. 4, Sch. 1. |
| British Baluchistan                            | Reg. 1, 1890, s. 3.         |

Act 12, 1887 (Civil Courts), applies to Agra Province, Assam, Bengal (except Sambalpur District) and Eastern Bengal

Act 12, 1887, s. 1.

Act 6, 1889 (Probate and Administration), declared in force in—

the Santhal Parganas	Reg. 3, 1872, s. 3, Sch.
Upper Burma (except the Shan States)	Act 13, 1893, s. 4, Sch. 1.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

1. Preliminary—*contd.*

Act 7, 1889 (Succession Certificates)—	
applies to whole of British India . . . . .	Act 7, 1889, s. 1 (3).
declared in force in—	
British Baluchistan . . . . .	Reg. 1, 1890, s. 3.
Angul District . . . . .	Reg. 1, 1891, s. 3.
Santhál Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
Upper Burma generally (except the Shan States) . . . . .	Act 13, 1898, s. 4, Sch. 1.
Ben. Reg. 5, 1799 (Wills and Intestacies of Natives), declared in force—	
throughout Agra Province, Bengal (except Sambalpur District) } and Eastern Bengal, except as regards the Scheduled Districts. }	Act 15, 1874, ss. 6, 7.
in Sambalpur District (in Bengal) and the Central Provinces } (ss. 4, 5, 6, with a modification) . . . . . }	Act 20, 1875, s. 3.
in Ajmere (ss. 4, 5, 6, with a modification) . . . . .	Reg. 3, 1877, s. 3.
Ben. Reg. 5, 1827 (Management of Estates), declared in force—	
throughout Agra Province, Bengal (except Sambalpur District) } and Eastern Bengal, except as regards the Scheduled Districts }	Act 15, 1874, ss. 6, 7.
in Sambalpur District (in Bengal) and the Central Provinces } (with modifications) . . . . . }	Act 20, 1875, s. 3.
in Ajmere (with modifications) . . . . .	Reg. 3, 1877, s. 3.
Bom. Reg. 8, 1827 (Administration)—	
declared in force throughout the Presidency of Bombay, except } as regards the Scheduled Districts . . . . . }	Act 15, 1874, s. 5.
extended to Sindh . . . . .	Bom. Act 12, 1866, s. 12.
Mad. Reg. 3, 1802 (Administration), s. 1 and part of s. 16, declared } in force throughout the Presidency of Madras, except as regards } the Scheduled Districts . . . . . }	Act 15, 1874, s. 4, Sch. 2.
Mad. Reg. 5, 1829 (Administration, etc.), declared in force through- } out the Presidency of Madras, except as regards the Scheduled } Districts . . . . . }	.. s. 4.
Act 10, 1865 (Indian Succession Act), application of :	
The Act does not apply to wills made or intestacies occurring } before 1st January, 1866 . . . . . }	Act 10, 1865, s. 331.
“ “ “ “ “ in case of Hindus, Muhammadans or } Buddhists . . . . . }	.. s. 331.
“ “ “ “ “ to intestate property dealt with by Com- } missioner of Police in Bombay City . . . . . }	Bom. Act 4, 1902, s. 50
Power to exempt race, sect or tribe from operation of the Act . . . . .	Act 10, 1865, s. 332.
S. 187 of the Act applied to certain wills of Hindus, Jainas, } Sikhs and Buddhists . . . . . }	Act 21, 1870, s. 2.
Ss. 190, 239 not to apply to property of Native Christian dying } intestate . . . . . }	Act 7, 1901, s. 3.
Act 5, 1881 (Probate and Administration), applies in case of Hindus, } Muhammadans, Buddhists and persons exempted from opera- } tion of Act 10, 1865, but certain Courts must be empowered by } notification before receiving applications for probate or letters } of administration . . . . . }	Act 5, 1881, s. 2.
Probate or administration in case of Hindus, Muhammadans, } Buddhists and persons exempted from operation of Act 10, 1865, } to be granted only under Act 5, 1881 . . . . . }	.. s. 120.
General definitions . . . . .	Act 10, 1865, s. 3 Act 5, 1881, s. 3.



ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

1887. Act 12, ss. 1, 23 (Civil Courts, Assam, Bengal, Agra).	1898. Act 13, s. 4, Sch. 1 (Laws, Burma).
1889. Act 6 (Probate and Administration)	1901. Act 7 (Administration, Native Christians).
„ Act 7 (Collection of Debts).	1902. Bom. Act 4, s. 50 (Police, Bombay City).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).	„ Act 5, ss. 4 (2), 5 (2), 7 (Administrator General and Official Trustee)
1894. Reg. 1, s. 3 (Laws, Angul).	1905. Act 7 (Laws, Bengal and Assam).

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| 1. Preliminary.   | 4 Wrongful possession of property of deceased. |
| 2. Grant of Probates and Letters of Administration                | 5. Collection of Debts on succession.          |
| 3. Rights, Powers and Liabilities of Executors and Administrators | 6. Special and Local.                          |

## I. Preliminary.

Act 19, 1841 (Curators in cases of succession)—  
declared in force—

throughout British India, except as regards the Scheduled Districts	Act 15, 1874, s. 3.
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in the Arakan Hill District (with modifications, and with the exception of s. 16)	Reg. 9, 1874, s. 3.
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extended to Sindh	Bom. Act 12, 1866, s. 12.
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Act 10, 1865 (Indian Succession Act)—

applies to whole of British India	Act 10, 1865, s. 2.
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declared in force in—

the Santhal Parganas	Reg. 3, 1872, s. 3, Sch.
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the Arakan Hill District (but not so as to affect Native Christians)	Reg. 9, 1874, s. 3.
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Upper Burma generally (except the Shan States)	Act 13, 1898, s. 4, Sch. 1.
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British Baluchistan	Reg. 1, 1890, s. 3.
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Act 28, 1866 (Powers of Executors and Administrators), declared in force throughout British India, except as regards the Scheduled Districts	Act 15, 1874, s. 3.
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Act 21, 1870 (Hindu Wills Act)—

applies to Bengal and the towns of Madras and Bombay	Act 21, 1870, preamble.
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declared in force in the Santhal Parganas	Reg. 3, 1872, s. 3.
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Act 13, 1875 (Probate and Administration), declared in force in—

the Santhal Parganas	Reg. 3, 1872, s. 3.
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Upper Burma generally (except the Shan States)	Act 13, 1898, s. 4, Sch. 1.
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Act 5, 1881 (Probate and Administration)—

applies to whole of British India	Act 5, 1881, s. 1.
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declared in force in—

the Santhal Parganas (s. 154)	Reg. 3, 1872, s. 3.
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Upper Burma generally (except the Shan States)	Act 13, 1898, s. 4, Sch. 1.
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British Baluchistan	Reg. 1, 1890, s. 3.
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Act 12, 1887 (Civil Courts), applies to Agra Province, Assam, Bengal (except Sambalpur District) and Eastern Bengal	Act 12, 1887, s. 1.
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Act 6, 1889 (Probate and Administration), declared in force in—

the Santhal Parganas	Reg. 3, 1872, s. 3, Sch.
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Upper Burma (except the Shan States)	Act 13, 1898, s. 4, Sch. 1.
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ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

1. Preliminary—*contd.*

Act 7, 1889 (Succession Certificates)—

applies to whole of British India . . . . . Act 7, 1889, s. 1(1).

declared in force in—

British Baluchistan . . . . . Reg. 1, 1890, s. 3.

Angul District . . . . . Reg. 1, 1894, s. 3.

Santhál Parganas . . . . . Reg. 3, 1872, s. 3, Sch.

Upper Burma generally (except the Shan States) . . . . . Act 13, 1893, s. 4, Sch. 1.

Ben. Reg. 5, 1799 (Wills and Intestacies of Natives), declared in force—

throughout Agra Province, Bengal (except Sambalpur District) }  
and Eastern Bengal, except as regards the Scheduled Districts } Act 15, 1874, ss. 6, 7.

in Sambalpur District (in Bengal) and the Central Provinces }  
(ss. 4, 5, 6, with a modification) . . . . . Act 20, 1875, s. 3.

in Ajmere (ss. 4, 5, 6, with a modification) . . . . . Reg. 3, 1877, s. 3.

Bom. Reg. 5, 1827 (Administration of Estates), declared in force—

} Act 15, 1874, ss. 6, 7.

in Sambalpur District (in Bengal) and the Central Provinces }  
(with modifications) . . . . . Act 20, 1875, s. 3.

in Ajmere (with modifications) . . . . . Reg. 3, 1877, s. 3.

Bom. Reg. 8, 1827 (Administration)—

declared in force throughout the Presidency of Bombay, except }  
as regards the Scheduled Districts . . . . . Act 15, 1874, s. 5.

extended to Sindh . . . . . Bom. Act 12, 1866, s. 12.

Mad. Reg. 3, 1802 (Administration), s. 1 and part of s. 16, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .

Act 15, 1874, s. 4, Sch. 2.

Mad. Reg. 5, 1829 (Administration, etc.), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .

„ s. 4.

Act 10, 1865 (Indian Succession Act), application of :

The Act does not apply to wills made or intestacies occurring }  
before 1st January, 1866 . . . . . Act 10, 1865, s. 331.

„ „ „ „ in case of Hindus, Muhammadans or }  
Buddhists . . . . . „ s. 331.

„ „ „ „ to intestate property dealt with by Com- }  
missioner of Police in Bombay City . . . . . Bom. Act 4, 1902, s. 50.

Power to exempt race, sect or tribe from operation of the Act }  
Act 10, 1865, s. 332.

S. 187 of the Act applied to certain wills of Hindus, Jains, }  
Sikhs and Buddhists . . . . . Act 21, 1870, s. 2.

Ss. 190, 239 not to apply to property of Native Christian dying }  
intestate . . . . . Act 7, 1901, s. 3.

Act 5, 1881 (Probate and Administration), applies in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865, but certain Courts must be empowered by notification before receiving applications for probate or letters of administration . . . . .

Act 5, 1881, s. 2.

Probate or administration in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865, to be granted only under Act 5, 1881 . . . . .

„ s. 150.

General definitions . . . . . Act 10, 1865, s. 3.  
Act 5, 1881, s. 3.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

## 2. Grant of Probates and Letters of Administration.

Legal position of executor or administrator . . . . .	{ Act10,1865,s.170. Act5,1881,s.4.
Grant of administration with copy annexed of authenticated copy of will proved abroad . . . . .	{ Act10,1865,s.180. Act5,1881,s.5.
Probate to whom granted . . . . .	{ Act10,1865,ss.181to185. Act5,1881,ss.6to10.
Accrual of representation to surviving executor . . . . .	{ Act10,1865,s.186. Act5,1881,s.11.
Probate or letters of administration required to establish right of executor, legatee, etc. . . . .	{ Act10,1865,ss.187,190. Act10,1865,ss.188,191, 192,242,260. Act5,1881,ss.12,14,15, 59,82.
Effect of probate and letters of administration . . . . .	{ Act10,1865,ss.193to195. Act5,1881,ss.16to18.
Renunciation by executor . . . . .	{ Act10,1865,ss.189,195to 207. Act5,1881,ss.13,18to23.
Grants limited in duration . . . . .	{ Act10,1865,ss.208to211. Act5,1881,ss.24to27.
„ for use and benefit of others having right . . . . .	{ Act10,1865,ss.212to218. Act5,1881,ss.28to34.
„ for special purposes . . . . .	{ Act10,1865,ss.219to225. Act5,1881,ss.35to41.
„ with exception; grants of the rest . . . . .	{ Act10,1865,ss.226to228. Act5,1881,ss.42to44.
„ of effects unadministered . . . . .	{ Act10,1865,ss.229to231. Act5,1881,ss.45to47.
Practice in granting probates and letters of administration :	
District Judge to have jurisdiction . . . . .	{ Act10,1865,s.235. Act5,1881,s.51.
Power to appoint District Delegates for non-contentious cases . . . . .	{ Act10,1865,s.235A. Act5,1881,s.52.
Powers and procedure of District Judge as to grants . . . . .	{ Act10,1865,ss.236to238, 240, 261. Act5,1881,ss.53to57,83.
When and how District Judge to interfere for protection of property pending grant . . . . .	{ Act10,1865,s.239.
Powers of District Delegate as to grants and reference to District Judge . . . . .	{ Act10,1865,ss.241A, 253A,253B,253C. Act5,1881,ss.58,73to75.
Transmission to other Courts of certificate by High Court making grant . . . . .	{ Act10,1865,s.242A. Act5,1881,s.60.
Petitions for grant . . . . .	{ Act10,1865,ss.243to246, 246A,247to249. Act5,1881,s.61to63.
Examination of petitioner, etc., publication of citation . . . . .	{ Act10,1865,s.250. Act5,1881,s.69.
Caveats . . . . .	{ Act10,1865,ss.251to253. Act5,1881,ss.70to72.
Form of grant . . . . .	{ Act10,1865,ss.254,255. Act5,1881,ss.76,77.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

2. Grant of Probates and Letters of Administration—*contd.*

Practice in granting probate and letters of administration—*contd*

Administration bond . . . . .	{	Act10,1865,ss.256,257. Act5,1881,ss 78,79.
Time for grant . . . . .	{	Act10,1865,s.258. Act5,1881,s 80.
Filing of original wills . . . . .	{	Act10,1865,s 259. Act5,1881,s.81.
Power to refuse letters of administration . . . . .		Act5,1881,s.85.
Appeals from orders of District Judge . . . . .	{	Act10,1865,s.263. Act5,1881,s.86.
Concurrent jurisdiction of High Court . . . . .	{	Act10,1865,s.264. Act5,1881,s.87.
Alteration and revocation of grants . . . . .	{	Act10,1865 ss 232to234, 262,333. Act5,1881,ss.48to50,84, 157.

3. Rights, Powers and Liabilities of Executors and Administrators.

Executors of their own wrong, definition and liabilities of . . . . .		Act10,1865,ss.265,266.
General powers of executors and administrators . . . . .	{	Act10,1865,ss.267to275. Act5,1881,ss.88to96. Act6,1889,s.19.
„ duties „ „ „ . . . . .	{	Act10,1865,ss 276,277, 277A,278to291. Act5,1881,ss 97to111.
Executor's assent to a legacy . . . . .	{	Act10,1865,ss.292to297. Act5,1881,ss.112to117, 148.
Payment and apportionment of annuities . . . . .	{	Act10,1865,ss.298to300 Act5,1881,ss 118to120,148.
Investment of funds to provide for legacies . . . . .	{	Act10,1865,ss.301to308. Act5,1881,ss.121to127,148.
Produce and interest of legacies . . . . .	{	Act10,1865,ss.309to315. Act5,1881,ss.128to138.
Refunding of legacies . . . . .	{	Act10,1865,ss 316to325. Act5,1881,ss.135to144,148.
Residue to be paid to residuary legatee . . . . .	{	Act10,1865,s.326. Act5,1881,s.145,148.
Transfer of assets from British India to executor or administrator in country of domicile for distribution . . . . .	{	Act10,1865,s 326A. Act5,1881,ss.145A,148.
Liability of executor or administrator for devastation, etc. . . . .	{	Act10,1865,ss.327,328. Act5,1881,ss.146,147.
Action by or against executor or administrator in respect of wrong done during life of deceased occasioning pecuniary loss to his estate or for which he would have been liable to an action . . . . .	{	Act12,1835.
Power of High Court to remove, etc, private executor or administrator and appoint successor . . . . .	{	Act5,1902,s.4(2).
Power of High Court to give general or special direction to private executor or administrator in respect of administration . . . . .	{	„ s.5(2).
Power of executor or administrator to incur expenditure for certain purposes . . . . .	{	„ s 7.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*3. Rights, Powers and Liabilities of Executors and Administrators—*contd.*Procedure in suit by or against executor or administrator. *See*

CIVIL PROCEDURE, 4.

Collection and refund of court-fees. *See* COURT-FEES, 3.

## 4. Wrongful possession of property of deceased.

Summary suit on complaint against wrongful possession . . . . .	Act 19, 1841, ss. 1 to 4, 18.
Curator; appointment, powers, remuneration, etc., of . . . . .	" ss 5 to 13.
" public; powers to appoint . . . . .	" s. 19.
" cessation of powers of, on grant of certificate to collect debts, etc. . . . .	Act 7, 1889, s. 23.
Limitations on operation of Act 19, 1841 . . . . .	Act 19, 1841, ss. 14 to 16.
Saving of right to bring regular suit . . . . .	" s. 17.

## 5. Collection of debts on succession.

## (a) PRELIMINARY.

Act 7, 1889, local extent (*See* 1, *above*).

Definitions . . . . . Act 7, 1889, s. 3.

## (b) CERTIFICATE TO COLLECT DEBTS.

Grant of certificate by Court . . . . .	Act 7, 1889, ss. 5 to 8.
Certificate not to be granted under Act with respect to debt to which right can be established by probate or letters of administration . . . . .	" s. 1 (4).
Grant of certificate to Native Christians . . . . .	Act 7, 1901, s. 5.
Requisition of security from grantee of certificate . . . . .	Act 7, 1889, s. 9.
Extension of certificate to other debts, and amendment of certificate . . . . .	Act 7, 1889, ss. 10, 12.
Form of certificate . . . . .	" s. 11, Sch. II.
Court-fee on certificate . . . . .	" ss. 13, 14.
Local extent and effect of certificate . . . . .	" ss 15 to 17.
Revocation of certificate . . . . .	" s. 18.
Appeal from order granting, etc., certificate . . . . .	" s. 19.
Effect on certificate of previous certificate or of probate or letters of administration . . . . .	" ss. 20, 21.
Validation of certain payments made in good faith to holder of invalid certificate . . . . .	" s. 22.
Surrender of superseded and invalid certificates . . . . .	" s. 27.

## (c) MISCELLANEOUS.

Investiture of inferior Courts with jurisdiction of District Court . . . . .	" s. 26.
Act 7, 1899, not to bar suits, etc. . . . .	" s. 25.
Proof of representative title a condition precedent to recovery through Court of debts from debtors of deceased persons . . . . .	" s. 4.
Validation of probates and letters of administration granted by High Courts or Recorder of Rangoon for purpose of collecting debts, etc. . . . .	" s. 24.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

6. Special and Local.

- Administration of estates of military men. *See* ARMY, 6 (e) (2).  
 " " by official administrator. *See* ADMINISTRATOR GENERAL.  
 Payment of deposits in Government Savings Bank belonging to estate of deceased person. *See* BANK, 2.  
 Payment out of Provident Fund to representative of deceased person. *See* PROVIDENT FUND.

(a) AGRA, AJMERE, BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND ASSAM.

- Executors of Hindus, Muhammadans, etc., to take charge of estate without interference by Courts . . . . . { [Agra, Ben. (except Sambalpur), E. B. & A.] Ben. Reg. 5, 1799, s. 2.
- S. 2 of Ben. Reg. 5, 1799, repealed so far as relates to executors of persons who are not Muhammadans, but are subject to jurisdiction of District Courts in Bengal or Assam . . . . . } Act 21, 1870, s. 4.
- Heirs of Hindus, Muhammadans, etc., dying intestate not bound to apply to Court for permission to take possession of estate . . . . . { [Agra, Ben. (except Sambalpur), E. B. & A.] Ben. Reg. 5, 1799, s. 3.
- Reference to Court when succession disputed between several claimants . . . . . { [Agra, Aj., Ben., C. P., E. B. & A.] Ben. Reg. 5, 1799, s. 4.
- So much of ss. 2 and 3 of Ben. Reg. 5, 1799, as restricts the interference of Civil Courts in cases of inheritance by minors, repealed . . . . . } Act 40, 1858.
- When Court may appoint administrator, security to be given by him . . . . . { [Agra, Aj., Ben., C. P., E. B. & A.] Ben. Reg. 5, 1799, ss. 5, 6.
- Management of estate through Collector of district, when action taken under Ben. Reg. 5, 1799, ss. 5, 6 . . . . . { [Agra, Aj., Ben., C. P., E. B. & A.] Ben. Reg. 5, 1827.
- "Local Government" substituted for "Board of Revenue" in Ben. Reg. 5, 1827, s. 3 . . . . . { (A) Reg. 3, 1877, s. 3, Sch. II. (C. P. and Sambalpur) Act 20, 1875, s. 3, Sch. (col. 4 of Sch. rep. as to Sambalpur, Act 7, 1905).
- District Judge to interfere for protection of property of intestate when there is no claimant . . . . . { [Agra, Ben. (except Sambalpur), E. B. & A.] Ben. Reg. 5, 1799, s. 7.
- "Local Government" substituted for "Governor General in Council" in Ben. Reg. 5, 1799, s. 7 . . . . . { (Agra) Act 10, 1886, s. 2, Sch.
- Ben. Reg. 5, 1799, not to affect jurisdiction of Court of Wards . . . . . { [Agra, Ben. (except Sambalpur), E. B. & A.] Ben. Reg. 5, 1799, s. 8.
- Transfer to Subordinate Judge or Munsif of proceedings under Ben. Reg. 5, 1799, Act 10, 1865, or Act 5, 1881 . . . . . { [Agra, Ben. (except Sambalpur), E. B. & A.] Act 12, 1837, s. 23.
- Validation of grants of probate or administration made in Lower Burma . . . . . } Act 5, 1881, s. 155.

(b) BOMBAY PRESIDENCY.

- Heirs, executors or legal administrators may assume management of estate, without applying to Court . . . . . } Bom. Reg. 8, 1827, s. 1.
- Procedure where heir, etc., applies for recognition by Court; grant of certificate by Court . . . . . } " ss. 2 (1), 3 to 5, App. A, B.
- Powers and liabilities of heir, etc., holding certificate . . . . . } " s. 7

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*6. Special and Local—*contd.*(b) BOMBAY PRESIDENCY—*contd.*

Right to institute suit if certificate refused . . . . .	Bom.Reg 8,1827,s.8.
District Judge to interfere for protection of property where no claimant, etc.; appointment of administrator and security to be given by him . . . . .	„ ss.9to11. App C.
Act 5, 1881, s. 98; and certain sections of Act 7, 1889, to apply to certificates granted under Bom. Reg. 8, 1827 . . . . .	Act7,1889,s.28.
Grant of probate or administration under Act 5, 1881, supersedes certificate granted under Bom. Reg. 8, 1827 . . . . .	Act5,1881,s.152.

## (c) MADRAS PRESIDENCY.

Executors of Muhammadans, etc., to take charge of estate without interference by Courts . . . . .	Mad Reg 3,1802,s.16(2).
Mad. Reg. 3, 1802, s. 16 (2), repealed, so far as it applied to Hindus . . . . .	Mad.Reg.5,1829,s.2.
Heirs of Hindus, Muhammadans, etc., not bound to apply to Court for permission to take possession of estate . . . . .	Mad.Reg.3,1802,s.16(3). Mad Reg.5,1829,s.3.
Reference to Court when succession disputed between several claimants . . . . .	Mad.Reg.3,1802,s.16(4). Mad.Reg.5,1829,s.3.
When Court may appoint administrator; administration when to cease; security to be given by administrator . . . . .	Mad.Reg.3,1802,s.16(5), (6). Mad.Reg.5,1829,s.3.
District Judge to interfere for protection of property when there is no claimant . . . . .	Mad.Reg.3,1802,s.16(7). Mad.Reg.5,1829,s.3.

## (d) CASES GOVERNED BY ENGLISH LAW.

Acts 27 and 28, 1866, apply only to cases to which English law is applicable . . . . .	Act27,1866,s.3. Act28,1866,s.45.
Power of High Court to make order for disposal of stock, etc., held by executor or administrator who—	
is of unsound mind . . . . .	Act27,1866,ss.7,20.
is out of jurisdiction or cannot be found, etc. . . . .	„ s.21.
Effect of such order . . . . .	Act27,1866,ss.25to29.
Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised . . . . .	„ s.34.
Power of High Court to make order as to costs under Act . . . . .	„ s.43.
Stamp-duty on orders made under Act . . . . .	„ s.48.
Power of High Court to postpone making order under Act until petitioner's right declared in suit . . . . .	„ s.51.
Indemnity to persons obeying orders made under Act . . . . .	„ s.52.
Order under Act to have force of decree . . . . .	„ s.53.
Power of executor to raise money by sale, notwithstanding want of express power in will . . . . .	Act28,1866,ss.25to28.
Power of executor to compound, etc. . . . .	„ s.33.
Power of executor or administrator to distribute residue of estate—	
after making payments due in respect of lease or other conveyance and setting apart fund to answer future claims . . . . .	„ ss.40,41.
after expiry of time notified by him for receipt of claims . . . . .	„ s.42.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*concl'd.*

#### 6. Special and Local—concl'd.

(d) CASES GOVERNED BY ENGLISH LAW—contd.

Right of executor or administrator to apply to High Court for  
advice . . . . . } Act 28, 1866, s. 43.

advice . . . . .

(e) POWERS OF POLICE IN PRESIDENCY-TOWNS.

Delivery by police in Presidency-towns to person entitled, of moveable property of intestate worth less than Rs 200. See POLICE. I.

Above provisions not affected by Administrator General's Act . . . Act 2, 1874, s. 66.  
Bom. Act 4, 1902, s. 50.

ADMINISTRATOR	{	1874	{ See ADMINISTRATION OF ESTATES (INDIAN LAW; ADMINISTRATOR GENERAL, OFFICIAL TRUSTEE; UNCLAIMED ASSETS . . . }	Act 2, 1874.
GENERAL'S ACT				1881

## ADMINISTRATOR GENERAL.

1864.	Act 17, s. 6 (Official Trustee).	
1870.	Act 21, s. 5 (Wills of Hindus).	
1872.	Act 5, s. 2	} (Jurisdiction in Sindh).
"	Act 20	
"	Reg. 3, s. 3 (Laws, Santhál Parganas).	
1874.	Act 2 (Administrator General).	
"	Reg. 9, s. 3 (Laws, Arakan Hills).	
1879.	Act 3, ss. 3, 5 (Destruction of Records)	
1881.	Act 5, s. 149 (Probate and Administration).	
"	Act 9 (Administrator General).	
1882.	Act 2, s. 50 (Trusts).	
"	Act 6, s. 144 (Companies).	

1890.	Act 2 (Administrator General).
„	Reg. 1, s. 3 (Laws, British Baluchistan).
1893.	56-7 V. c. 5, ss. 14, 19, 23 (Regimental Debts).
1894.	Reg. 1, s. 3 (Laws, Angul).
1898	Act 13, s. 4 (Laws, Burma).
1899.	Act 2, s. 3, Sch. 1, art. 62 (d) (Stamps)
1902.	Act 5 (Administrator General and Official Trustee).
„	Bom. Act 4, s. 50 (Police, Bom. City).
1908.	Act 16, s. 88 (Registration).
1909.	Act 3, s. 111 (Insolvency, Presidency-towns and Rangoon).

1. Preliminary.
2. The Office of Administrator General.
3. Rights, Powers and Duties.
4. Commission of Administrator General.
5. Accounts and Schedules.
6. Miscellaneous.

### 1. Preliminary.

Act 2, 1874, extends to whole of British India and, as regards } British subjects, to Native States . . . }	Act 2, 1874, s. 1.
" " declared in force in—	
Upper Burma (except the Shan States) . . .	Act 13, 1898, s. 4.
the Santhál Parganas . . . . .	Reg. 3, 1872, s. 2, Sch.
the Arakan Hill District . . . . .	Reg. 9, 1874, s. 3.
British Baluchistan . . . . .	Reg. 1, 1890, s. 3.
Angul District . . . . .	Reg. 1, 1894, s. 3.
" " not to apply to cases of intestate property dealt } with by Commissioner of Police in Bombay City }	Bom. Act 4, 1902, s. 50.

## 2. The Office of Administrator General.

Administrator General to be appointed for each of the Presidencies of Bengal, Madras and Bombay	Act 2, 1874, &c.
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ADMINISTRATOR GENERAL—*contd.*2. The Office of Administrator General—*contd.*

Definitions of " Presidency of Bengal," " Presidency of Madras " and " Presidency of Bombay " . . . . .	Act2,1874,s.3.
Power to divide Presidency of Bengal into provinces and appoint an Administrator General for each, consequences to ensue thereupon . . . . .	,, s.68.
Saving of Administrator General's jurisdiction in Sindh . . . . .	Act5,1872,s.2.
Administrator General; Government to appoint, suspend or remove . . . . .	Act2,1874,s.5.
" " to be a barrister, exception . . . . .	" s.6.
" " not an officer of High Court . . . . .	Act5,1902,s.2(2).
" " may hold office of Official Trustee . . . . .	Act2,1874,s.7.
" " not to hold other office without sanction of Government . . . . .	Act17,1864,s.6.
" " restriction on trading by . . . . .	Act2,1874,s.9.
" " security to be given by, to Government. . . . .	" s.9.
" " no security or oath to be given by, to Court . . . . .	" s.10.
" " remuneration of, by fixed salary . . . . .	" s.11.
" " liability of, or of Government for acts of . . . . .	" s.12.
Appointment of Officiating Administrator General, his position . . . . .	Act5,1902,s.3(1).
Appointment of Deputy Administrator General, powers and functions of; may be a barrister, attorney or solicitor; may officiate as Administrator General . . . . .	,, s.3(2),(3).
Rights, duties and privileges of Administrator General not affected by—	Act2,1874,s.13.
Succession Act, 1865 . . . . .	Act5,1902,s.2.
Hindu Wills Act, 1870 . . . . .	Act2,1874,s.66.
Probate and Administration Act, 1881 . . . . .	Act21,1870,s.5.
Companies Act, 1882 . . . . .	Act5,1881,s.149.
Presidency-towns Insolvency Act, 1909. . . . .	Act2,1874,s.66.
	Act6,1882,s.144(g).
	Act3,1909,s.111.

## 3. Rights, Powers and Duties.

## (a) GRANT OF LETTERS OF ADMINISTRATION AND PROBATE TO ADMINISTRATOR GENERAL.

Letters of Administration or Probate to be granted by High Court at Presidency-town . . . . .	Act2,1874,s.14.
Administrator General entitled to Letters of Administration, or letters <i>ad colligenda bona</i> , in preference to certain other persons . . . . .	" s.15.
Letters of Administration and Probate to be granted <i>ex officio</i> . . . . .	" ss.20,30.
Administrator General may apply for Letters of Administration within one month from death . . . . .	" s.23.
Effect and local extent of Probate or Letters of Administration . . . . .	" s.23A.
Estates which Administrator General is bound to administer; temporary administration pending determination of right . . . . .	" ss.16to18, 19,20.
Administration of estates of military men . . . . .	" ss.21,22,65.
Grant to consular officer of Letters of Administration to estate of deceased foreigner . . . . .	56-7V.c.5,ss.14,19,26.
	Act5,1902,s.8.

ADMINISTRATOR GENERAL—*contd.*

3. Rights, Powers and Duties—*contd.*

(a) GRANT OF LETTERS OF ADMINISTRATION AND PROBATE TO ADMINISTRATOR GENERAL—*contd.*

Revocation of Letters of Administration Letters deemed to have been voidable, not void ; validation of payments made and acts done by Administrator General, payment of Administrator General's costs and commission . . . . .	Act2,1874,ss.24to27.
Distribution of assets . . . . .	" s.28.
Power of Administrator General to incur expenditure for certain purposes . . . . .	Act5,1902,s.7.
Power of High Court to give general or special direction to Administrator General in respect of administration . . . . .	" s.5.
Transfer by private executor or administrator to Administrator General of interest under Probate or Letters of Administration, stamp-duty . . . . .	Act2,1874,s.31. Act2,1899,s.3,Sch.1, art.62(d).
Appointment of Official Trustee as trustee of assets carried to separate accounts . . . . .	Act2,1874,s.32.
Vesting of estates, etc, in successor of Administrator General . . . . .	" s.33.

(b) ADMINISTRATION OF ASSETS NOT EXCEEDING R1,000 IN VALUE.

Administrator General may grant certificate of administration or may administer without obtaining Letters of Administration . . . . .	" ss.36,37.
Proof of claimant's title and value of assets, before granting certificate . . . . .	" s.38.
Effect of certificate ; fee for certificate . . . . .	" ss.39,41.
When Administrator General may take out Letters of Administration after granting certificate . . . . .	" s.40.
Certificate-holder or Administrator General may transfer assets to executor or administrator in country of domicile for distribution . . . . .	" s.41A.

(c) SUITS BY AND AGAINST ADMINISTRATOR GENERAL.

To be brought in name of office, not to abate by death, resignation or removal . . . . .	" s. 34. Act5,1902,s.3(f).
Creditors' suits . . . . .	Act2,1874,s.35.

4. Commission of Administrator General

Rate of, in case of property of military men . . . . .	" ss.21,53. 56-7V.c.5,s.14(f).
" in case of temporary administration pending determination of right . . . . .	Act2,1874,s.18.
" in other cases . . . . .	" s.52.
" on assets collected beyond Presidency . . . . .	" ss. 55A.
" power to reduce and again raise . . . . .	" s.55.
Commission what to cover ; when payable . . . . .	" ss.54,59.
Commission or other remuneration received to be credited to Government where Administrator General remunerated by fixed salary . . . . .	Act,5,1902,s.3(f)
Payment of, when Letters of Administration granted to Administrator General are revoked . . . . .	Act2,1874,s.27.

ADMINISTRATOR GENERAL—*concll.*4. Commission of Administrator General—*contd.*

Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Administrator General . . . }	Act2,1882,s.50.
Commission or agency charges not to be charged by private executor or administrator at higher rate than that fixed for Administrator General . . . }	Act5,1902,s.4(3).
Expenses of Administrator General's establishment and office charges to be defrayed by him . . . }	Act2,1874,s.42.

## 5. Accounts and Schedules.

Separate accounts to be kept for each estate, and to be open to inspection . . . }	" s.43.
Administrator General to furnish and publish half-yearly schedules and send copies to Government for transmission to Secretary of State; settlement and payment of costs . . . }	" ss.44,48.
Power of Government to require additional accounts to be kept . . . }	" s.57.
Appointment of auditors by Government . . . }	" s.45.
Duties and powers of auditors; procedure when irregularities disclosed; payment of costs . . . }	" ss.46to51.

## 6. Miscellaneous

Punishment for making false statement in petition presented by Administrator General to Court . . . }	" s.12
" " giving false evidence . . . }	" s.61.
" " neglecting to produce papers, etc., to auditor . . . }	" s.47.
Power of Government to make rules for guidance of Administrator General . . . }	" ss.57to59
Administrator General to comply with requisitions by Government for returns and statements . . . }	" s.67.
Power of High Court to make rules for assigning jurisdiction under Act 2, 1874, to subordinate courts . . . }	Act5,1902,s.6
Power of High Court to make rules for destruction, etc., of Administrator General's records; confirmation of rules by Government . . . }	Act 3,1870,ss 3,5.
Order of Court to be equivalent to decree . . . }	Act2,1874,s.60.
Administrator General may examine persons on oath or affirmation . . . }	" s.60A.
Assets unclaimed for fifteen years to be transferred to Government; disposal of subsequent claims . . . }	" ss.62,63.
District Judge to take charge of certain estates and report to Administrator General; Judge may pay certain claims out of assets . . . }	" s.64.
Saving of power of Police in Presidency-towns to take charge of small estates . . . }	" s.66.
Registration of documents executed by Administrator General in his official capacity . . . }	Act16,1903,s.83.
Payment of income-tax by Administrator General. See INCOME-TAX, 3.	

ADMINISTRATOR GENERAL AND OFFICIAL TRUSTEES  
ACT, 1902. [See ADMINISTRATION OF ESTATES (IND. LAW);  
ADMINISTRATOR GENERAL; OFFICIAL TRUSTEE] . . . }

Act5,1902.

ADMIRALTY COURTS. *See* COLONIAL COURT OF ADMIRALTY  
AND VICE-ADMIRALTY COURT.

ADMIRALTY JURISDICTION (INDIA) ACT, 1860.<sup>[1]</sup> [*See* } 23-4V.c.88.  
CRIMINAL LAW AND PROCEDURE (ENGLISH); SEA] . . . }

ADMIRALTY OFFENCES (COLONIAL) ACT, 1849.<sup>[1]</sup> [*See* }  
CRIMINAL LAW } 12-3V.c.96.  
AND PROCE-  
DURE (ENG.) }  
SEA] . . . }

" " " " 1860 <sup>[1]</sup> [*See* }  
CRIMINAL LAW } 23-4V.c.122.  
AND PROCE-  
DURE (ENG.) }  
SEA] . . . }

ADULTERATION. *See* CRIMINAL LAW (IND.), 12; DRUGS; FOOD  
AND DRINKS.

ADULTERY. *See* CRIMINAL LAW (IND.), 20.

ADVOCATE *See* LEGAL PRACTITIONER, 1, 4, 6.

ADVOCATE GENERAL.

Appointment of, by Crown . . . . . 21-2V.c.106,s.29.

General powers of . . . . . 53G.3,c.155,s.111.

Information exhibited by, in exercise of power declared by 53 G }  
3, c. 155, s. 111, not limited or affected by Code of Civil Proce- }  
dure, 1908, s. 79 . . . . . Act5,1908,s.79(2).

Right of, to conduct prosecution . . . . . Act5,1898,s.495.

Power of, to stay prosecution, etc. *See* CRIMINAL PROCEDURE  
(INDIAN), 8 (6).

Suits by, relating to public nuisances and public charities . . . Act5,1908,s.91,92.

Powers of, not affected by Charitable Endowments Act . . . Act6,1890,s.15.

AFFIDAVIT.

Interpretation of term, as including affirmation and declaration, }  
etc. . . . . }<sup>[2]</sup>52-3V.c.10,s.11.

Commissioners for oaths, appointment and powers of . . . }  
" " c.63,s.3.  
" c.10,s.1.  
<sup>[2]</sup>54-5V.c.50,s.1.

Power of certain officers of Court to administer oaths and take }  
affidavits . . . . . } 52-3V.c.10,s.2.

Taking of oaths and affidavits out of England . . . . . " s.3.

Jurat to state where and when oath is taken . . . . . " s.5.

Penalties on perjury, forgery of seal or signature, etc.; trial of }  
offences . . . . . } " ss.7to9.

Power of Judge to order affidavit to be impounded . . . . . " s.10.

Taking of, by diplomatic and consular officers abroad . . . }  
" s.6.  
54-5V.c.50,s.2.

Appointment by Lord Chancellor of persons to take, on the high }  
seas and abroad, in prize causes, power of certain prescribed }  
officers to administer oath in prize proceedings . . . } 52-3V.c.10,s.4(am<sup>[2]</sup>)  
Edw.7,c.25,s.1)

Indian law as to. *See* OATH AND AFFIRMATION.

AFFIRMATION *See* OATH AND AFFIRMATION

AGENCY

Act 9, 1872 (the Indian Contract Act, 1872)—

extends to the whole of British India . . . . . Act9,1872,s.1.

[1] This short title was given by 59 & 60 Vict. c. 14

[2] Collective short title (Commissioners for Oaths Acts, 1890 to 1907) given by 7 Edw. 7, c. 25, s. 2

AGENCY—*contd.*

Act 9, 1872, (the Indian Contract Act, 1872)— <i>contd.</i>	
declared in force in—	
the Santhal Parganas . . . . .	Reg.3,1872,s.3.
the Arakan Hill District . . . . .	Reg.9,1874,s.3.
Upper Burma generally (except Shan States) . . . . .	Act13,1898,s.4,Sch.1.
British Baluchistan . . . . .	Reg.1,1890,s.3.
"Agent" and "principal" defined . . . . .	Act9,1872,s.182.
Who may employ agent . . . . .	" s 183.
" " be agent . . . . .	" s.184.
Consideration not necessary to create . . . . .	" s.185.
Authority of agent—	
May be express or implied . . . . .	" ss 186,187.
Extent of . . . . .	" ss.188,189
Revocation and termination of . . . . .	" ss.201to209.
Sub-agent :	
Definition of . . . . .	" s.191.
When agent cannot delegate . . . . .	" s.190
Representation of principal by . . . . .	" s.192
Responsibility of agent . . . . .	" ss.192,193.
" " sub-agent . . . . .	" s 192.
Termination of authority of . . . . .	" s.210.
Relation between principal and person duly appointed by agent to act in business of agency ; agent when not responsible . . . . .	" ss.194,195.
Duty of agent to principal . . . . .	" ss 211to 214,218.
Rights of principal where agent deals on his own account in business of agency . . . . .	" ss.215, 216.
Remuneration of agent . . . . .	" ss.217, 219to221.
Agent's right of retainer out of sums received on principal's account . . . . .	" s 217.
" lien on principal's property . . . . .	" s.221.
Duty of principal to agent . . . . .	" ss.222to 225.
Effect of agency on contract with third persons . . . . .	" ss.226to 237.
" on agreement, of misrepresentation or fraud by agent . . . . .	" s 238.
Ratification of unauthorised acts . . . . .	" ss.106to200.
Payment of income-tax by agent. See INCOME-TAX, 3.	
AGENTS OF FOREIGN SOVEREIGNS. (See CIVIL COURTS, VI, B). . . . .	Act15,1840.
AGRA TENANCY ACT, 1901. (See COURT-FEES, 3; LANDLORD AND TENANT, IX; LAND-REVENUE, XVI) . . . . .	U.P.Act2,1901.
AGRA VILLAGE AND ROAD POLICE ACT, 1873. [See CRIMINAL PROCEDURE (IND.); POLICE, III] . . . . .	Act16,1873.
AGRICULTURISTS' LOANS ACT, 1884. [See LOAN (INDIAN LAW), B, 3] . . . . .	Act12,1884.
AGRICULTURISTS' RELIEF ACT (DEKKHAN). See DEKKHAN AGRICULTURISTS' RELIEF ACT.	
AGROR VALLEY REGULATION, 1891. (See AGROR VALLEY ; VILLAGE; WASTE-LAND) . . . . .	Reg 4,1891.

AGROR VALLEY.

Estate of Khan of Agror to be deemed to have been attached under Ben. Reg. 3, 1818, s. 9, on 1st August, 1898 . . . . .	Reg.4,1891,s.3.
Rights of Khan under record-of-rights of 1870 forfeited to Government . . . . .	" s.4.
Local Government to appoint officer to deal with such rights . . . . .	" s.5.
Such officer to determine how far such rights shall be retained by Government, restored to Khan or transferred to other persons; revision of his orders . . . . .	" ss.6, 7.
Classification of waste-lands in, and record-of-rights therein . . . . .	" s.8.
Appointment and remuneration of headmen in . . . . .	" s.9.
Succession of Khanship to be determined by Local Government . . . . .	" s.10.
Exclusion of jurisdiction of Courts and Revenue-officers under Regulation . . . . .	" s.11.

AHMADNAGAR DISTRICT. See DEKKHAN, ETC., 1.

AHMEDABAD TALUQDARS. (See INCUMBERED ESTATES, II) . . . . . Bom.Act6,1862.

AJMERE.

1. Status and Laws

Ajmere is a Scheduled District . . . . .	Act14,1874,s.1,Sch.I,Pt. IX.
Certain Bengal Regulations declared in force (with modifications), to the exclusion of others . . . . .	Act15,1874,s.2,Sch.VI, Pt IX.
Certain enactments and rules repealed . . . . .	Reg.3,1877,ss.2(a),3,Sch. II.
Law to be administered . . . . .	" s.2(b),(c),(d), Sch.I
	ss.4,5.

2. Pre-emption.

Definition . . . . .	" s.6.
Presumption as to, and proof of, existence of right of . . . . .	" ss.7,8
Exercise of right . . . . .	" ss.9to12.
Suit to enforce right . . . . .	" ss.13to15.

3. Criminal Law and Police.

Indian Penal Code applied to offences committed before 1st January, 1862 . . . . .	Reg.3,1877,s.29.
Tracking offenders . . . . .	" ss.16to22.
Responsibility of landholders, farmers and villagers for prevention of crime and apprehension of offenders . . . . .	" ss.23,24.
Liability of villagers to make good loss sustained by robbery, etc. . . . .	" s.25.
Registration of new cattle brought to village . . . . .	" s.26.
Recovery of money paid under award of Rajputana Court of Vakils on account of fine, blood-money, etc. of . . . . .	" s.27.
" " fines . . . . .	" s.28.
Power of police to apprehend members of armed band . . . . .	" s.30.
" to invest istimrardar, etc., with police powers . . . . .	" s.31.

4. Miscellaneous

Restriction of claims under Muhammadan contracts of dower . . . . .	" s.32.
Limitation on amount of interest which may be decreed . . . . .	" s.33.

AGENCY—*contd.*Act 9, 1872, (the Indian Contract Act, 1872)—*contd.*

declared in force in—

the Santal Parganas . . . . .	Reg 3, 1872, s 3.
the Arakan Hill District . . . . .	Reg. 9, 1874, s. 3.
Upper Burma generally (except Shan States) . . . . .	Act 13, 1898, s 4, Sch. 1.
British Baluchistan . . . . .	Reg. 1, 1890, s 3.
"Agent" and "principal" defined . . . . .	Act 9, 1872, s 182.
Who may employ agent . . . . .	" s. 183.
" " be agent . . . . .	" s 184.
Consideration not necessary to create . . . . .	" s. 185
Authority of agent—	
May be express or implied . . . . .	" ss 186, 187.
Extent of . . . . .	" ss. 188, 189.
Revocation and termination of . . . . .	" ss. 201 to 209
Sub-agent :	
Definition of . . . . .	" s. 191.
When agent cannot delegate . . . . .	" s. 190
Representation of principal by . . . . .	" s. 192.
Responsibility of agent . . . . .	" ss. 192, 193.
" " sub-agent . . . . .	" s. 192.
Termination of authority of . . . . .	" s. 210.
Relation between principal and person duly appointed by agent to act in business of agency; agent when not responsible . . . . .	" ss. 194, 195.
Duty of agent to principal . . . . .	" ss. 211 to 214, 218.
Rights of principal where agent deals on his own account in business of agency . . . . .	" ss. 215, 216.
Remuneration of agent . . . . .	" ss 217, 219 to 221.
Agent's right of retainer out of sums received on principal's account . . . . .	" s. 217.
" lien on principal's property . . . . .	" s. 221.
Duty of principal to agent . . . . .	" ss. 222 to 223.
Effect of agency on contract with third persons . . . . .	" ss 226 to 237.
" on agreement, of misrepresentation or fraud by agent . . . . .	" s. 238.
Ratification of unauthorised acts . . . . .	" ss. 196 to 200.
Payment of income-tax by agent. <i>See</i> INCOME-TAX, 3.	
AGENTS OF FOREIGN SOVEREIGNS. ( <i>See</i> CIVIL COURTS, VI, B). . . . .	Act 15, 1840.
AGRA TENANCY ACT, 1901. ( <i>See</i> COURT-FEES, 3; LANDLORD AND TENANT, IX; LAND-REVENUE, XVI) . . . . .	U.P. Act 2, 1901.
AGRA VILLAGE AND ROAD POLICE ACT, 1873. [ <i>See</i> CRIMINAL PROCEDURE (IND.); POLICE, III] . . . . .	Act 16, 1873.
AGRICULTURISTS' LOANS ACT, 1884. [ <i>See</i> LOAN (INDIAN LAW), B, 3] . . . . .	Act 12, 1884.
AGRICULTURISTS' RELIEF ACT (DEKKHAN). <i>See</i> DEKKHAN AGRICULTURISTS' RELIEF ACT.	
AGROR VALLEY REGULATION, 1891. ( <i>See</i> AGROR VALLEY; VILLAGE; WASTE-LAND) . . . . .	Reg 4, 1891.

Estate of Khan of Agror to be deemed to have been attached under Ben. Reg. 3, 1818, s. 9, on 1st August, 1898 . . . . .	}	Reg. 4, 1891, s. 3.
Rights of Khan under record-of-rights of 1870 forfeited to Government . . . . .		
Local Government to appoint officer to deal with such rights . . . . .		„ s. 4.
Such officer to determine how far such rights shall be retained by Government, restored to Khan or transferred to other persons, revision of his orders . . . . .	}	„ s. 5.
Classification of waste-lands in, and record-of-rights therein . . . . .		„ s. 6.
Appointment and remuneration of headmen in . . . . .		„ 7.
Succession of Khanship to be determined by Local Government . . . . .		„ s. 8.
Exclusion of jurisdiction of Courts and Revenue-officers under Regulation . . . . .	}	„ s. 9.
		„ s. 10.
		„ s. 11.

AHMEDABAD TALUQDARS. (See INCUMBERED ESTATES, II) . Bom. Act 6, 1862.

1. Status and Laws	
Ajmere is a Scheduled District . . . . .	Act 14, 1874, s. 1, Sch. I, Pt. IX.
Certain Bengal Regulations declared in force (with modifications), to the exclusion of others . . . . .	Act 15, 1874, s. 2, Sch. VI, Pt. IX.
Certain enactments and rules repealed . . . . .	Reg 3, 1877, ss 2(a), 3, Sch. II.
Law to be administered . . . . .	" s. 2(b), (c), (d), Sch. I.
	" ss. 4, 5.

Definition . . . . .	§ 6.
Presumption as to, and proof of, existence of right of . . . . .	§§ 7, 8.
Exercise of right . . . . .	§§ 9 to 12.
Suit to enforce right . . . . .	§§ 13 to 15.

Indian Penal Code applied to offences committed before 1st January, 1862 . . . . .	Reg 3, 1877, s. 20.
Tracking offenders . . . . .	" ss 16 to 22.
Responsibility of landholders, farmers and villagers for prevention of crime and apprehension of offenders . . . . .	" ss. 23, 24.
Liability of villagers to make good loss sustained by robbery, etc. . . . .	" s. 25.
Registration of new cattle brought to village . . . . .	" s 26.
Recovery of money paid under award of Rajputana Court of Vakils on account of fine, blood-money, etc. . . . .	" s 27.
" " fines . . . . .	" s 28.
Power of police to apprehend members of armed band . . . . .	" s 29.
" to invest istimardar, etc., with police powers . . . . .	" s 30.

Restriction of claims under Muhammadan contracts of dower . . .	"	1-7.
Limitation on amount of interest which may be decreed . . .	"	1-7.





AJMERE AND MERWARA PRIVATE FORESTS' PRESER- }  
VATION REGULATION, 1892. (See FOREST) . . . } Reg.1,1892.

ALBAKA.

Taluqa of ; laws to be in force in, on transfer to Madras Presi- }  
dency ; pending proceedings ; levy of certain cesses in . . . } Reg 1,1903,ss.2to5.

ALIEN.

1700-1.	12-3 W. 3, c. 2, s. 3 (Holding Offices of State).	1874.	Act 15, s. 3 (Laws Local Extent).
1852.	Act 30 (Naturalization)	"	Reg. 9, s. 3 (Laws, Arakan Hill District).
1870. [1]	[2] 33-4 V. c. 14 (Naturalization).	1894.	57-8 V. c. 60, s. 1 (Disqualification to own British ship)
"	[1] 33-4 V. c. 102 (Oath of Allegiance)	1895.	59-9 V. c. 43 (Naturalization).
1872. [2]	35-6 V. c. 39 (Naturalization)	1898.	Act 13, s. 4, Sch. 1 (Laws, Burma).

1. Status

2. Naturalization, and Declaration of Allenege.

See also BRITISH SUBJECT ; FOREIGNER.

1. Status

Capacity as to acquisition and disposition of property . . .	33-4V.c.14,s.2
National status of married women and children . . . }	" s 10.
Rights of married women to property previous to passing of Act of 1870 not affected thereby . . . }	58-9V.c.43.
Disqualification from holding offices of State . . . }	35-6V.c.39,s 3.
" to own British ship . . . }	12-3W.3,c.2,s.3.
Alien not entitled to jury <i>de medietate lingue</i> . . . }	33-4V.c.14,s.2.
Domicile ; retention of, for purpose of succession as to moveables.	" s.14.
	57-8V.c.60,s 1.
	33-4V.c.14,s 5.

See DOMICILE.

Enlistment in army. See ARMY, 3.

Goods of deceased ; grant of custody or administration of, to consul. See ADMINISTRATION OF ESTATES (ENGLISH LAW) ; ADMINISTRATOR GENERAL, 3

Procedure in suit by alien. See CIVIL PROCEDURE, 4.

Power to restrict immigration of, in Aden. See ADEN, 3, 4.

2. Naturalization, and Declaration of Allenege.

(a) NATURALIZATION.

Certificate of, and rights of person obtaining certificate . . .	33-4V.c.14,s 7.
" re-admission of statutory alien to British nation- ality . . . }	" s.8.
Effect of naturalization of parent on status of children . . . }	" s.10.
Oath of allegiance ; taking of, by person naturalized ; form of, and regulations as to . . . }	58-9V.c.43.
Saving of power of Crown to grant letters of denization . . .	33-4V.c.14,ss.7,9.
Power of British Possessions to legislate as to naturalization . . .	" c.102,s.1.
Issue of certificate of naturalization by Local Government . . .	Act30,1852,ss.10,11,13, Sch.
	33-4V.c.14,s.13.
	" s.16.
	Act30,1852,ss.1to5,7,9.

[1] Collective title ("Naturalization Acts, 1870") given by 33 & 34 Vict., c. 102.

[2] Collective title ("Naturalization Acts, 1870 and 1872") given by 35 & 36 Vict., c. 32.

ALIEN—*contd.*2. Naturalization, and Declaration of Alienage—*contd.*

## (b) DECLARATION OF ALIENAGE.

Power of naturalized subject of foreign State to make declaration of alienage . . . . .	33-4V.c.14,s.3..
Confirmation of declaration under convention with United States	35-6V.c.39,s.2,Sch.
Declaration of alienage by British subject. <i>See</i> BRITISH SUBJECT, 2 (a).	

## (c) SUPPLEMENTAL.

Power of Secretary of State to make regulations as to—	
certificates and declarations, and as to fees . . . . .	33-4V.c.14,s.11.
administration, etc., of oath of allegiance, and fees . . . . .	" c.102,s.1.
Evidence of declarations, certificates and regulations . . . . .	" c.14,s.12.
Penalty for false declaration . . . . .	" c.102,s.2.
Act 30, 1852, declared in force—	Act 30, 1852,s.6.
throughout British India, except as regards the Scheduled Districts . . . . .	Act 15, 1874,s.3.
in the Arakan Hill District . . . . .	Reg 9, 1874,s.3.
in Upper Burma generally (except Shan States) . . . . .	Act 13, 1898,s.4,Sch.1.
ALLAH ABAD UNIVERSITY ACT, 1887. ( <i>See</i> UNIVERSITY) . . . . .	Act 1 <sup>st</sup> , 1887.
ALLUVION AND DILUVION REGULATION (BENGAL), 1825 [1] . . . . .	Ben Reg 11, 1825.
ALLUVION AND DILUVION.	
Ben. Reg. 11, 1825 [2], declared in force—	
throughout Agra, Bengal (except Sambalpur District), Eastern Bengal, except as regards the Scheduled Districts . . . . .	Act 15, 1874,s.6,7.
in the Santhal Parganas . . . . .	Reg 3, 1872,s.3.
in the Punjab . . . . .	Act 4, 1872,s.3.
in the North-West Frontier Province . . . . .	Reg. 7, 1901,s.4.
in the Central Provinces and Sambalpur District . . . . .	Act 20, 1875,s.3.
in Oudh (with modifications) . . . . .	Act 18, 1876,s.3.
Act 9, 1847, declared in force—	
throughout Bengal (except Sambalpur District), Eastern Bengal, except as regards the Scheduled Districts . . . . .	Act 15, 1874,s.6.
in the Santhal Parganas . . . . .	Reg. 3, 1872,s.3.
Ben. Act 4, 1868, declared in force in the Santhal Parganas . . . . .	Act 5, 1897,s.4.
Short title given to Ben. Reg. 11, 1825 . . . . .	
Claims to alluvial land—	
to be decided by local usage, when clearly established . . . . .	{ Ben. Reg. 11, 1825,s.2[am.in P.&N.-W.F., P. Act 1, 1897, s.4(1)]
how to be decided in absence of such usage, in case—	
of lands gained by gradual accretion . . . . .	{ Ben. Reg. 11, 1825,s.3,4(1) [s.3 am.in P.&N.-W.F., P. Act. 1, 1899,s.4(2)].

[1] This short title was given by Act 5, 1897, s. 4.

[2] Ben. Reg. 11, 1825, has also been declared in force in Assam (except the North Lushai Hills) by notification under the Scheduled Districts Act, 1874.

ALLUVION AND DILUVION—*contd.*

Claims to alluvial land—*contd.*

how to be decided in absence of such usage— <i>contd.</i>		
of river suddenly changing its course and intersecting estate	{	Ben.Reg.11,1825,ss.3,4(2) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].
of chars thrown up in navigable river or sea . . . . .	{	Ben.Reg.11,1825,ss.3,4(1) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)]. (Ben.,exceptSambalpur &E.B.Ben).Act4, 1868,ss.2to8.
„ „ in small shallow river . . . . .	{	Ben.Reg.11,1825,ss.3,4(4). [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].
not specially provided for . . . . .	{	Ben.Reg.11,1825,ss.3,4(5) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].
allowance of, not to bar assessment to revenue or rent . . . . .		Ben.Reg.11,1825,s.4(1).
Ben. Reg. 11, 1825, not to authorise encroachments on bed or channel of navigable river or to prevent removal by Govern- ment of obstructions to navigation . . . . .	{	„ s.5(am inO., Act18,1876, Sch.II).
Char or island in navigable river becoming joined to mainland; right of owner of mainland to have way to river across; cost of construction of way; way to be public thoroughfare . . . . .	{	(Ben.,exceptSambalpur District,&E.B.)Ben Act 4,1868,ss.5to8.
Power to direct new survey of riparian lands . . . . .		Act9,1847,ss.3,4.
Power to permanently fix boundary between estates subject to river action; payment of compensation in certain cases . . . . .	{	(P.&N.-W.F.)Act17, 1887,ss. 101A to 101F.
Assessment, and alteration of assessment, on account of:		
See LAND-REVENUE, III, 3 (b); V, A, 3 (b); VII, A, 3 (a); XVI, 3.		

AMENDING ACT,	{	1891 . . . . .	Act12,1831.
	{	1894 . . . . .	Act4,1894.
	{	1895 . . . . .	Act18,1895.
	{	1897. (See ACTS AND REGULATIONS OF INDIAN LEGISLATURES; CIVIL COURTS, III; GOVERNMENT OF INDIA; PUBLIC OFFICER)	Act5,1897.
	{	1901. (See ACTS AND REGULATIONS OF IN- DIAN LEGISLATURES) . . . . .	Act11,1901..

AMENDING (ARMY) ACT, {	1894 . . . . .	Act13,1894.
	1902 . . . . .	Act5,1909.

AMERICANS.

Criminal proceedings against. See EUROPEANS AND AMERICANS.

AMINS. See CIVIL COURTS, III, 3.

AMMUNITION. See ARMS, AMMUNITION AND MILITARY STORES.

ANCIENT MONUMENTS

Act 7, 1904.

Acquisition of rights in or guardianship of . . . . .		„ s.4.
Preservation of, by agreement; agreement with persons under disability, enforcement of agreement . . . . .	{	„ ss.5-7.
Purchasers at revenue, rent and other sales bound by agree- ment . . . . .	{	„ s.8.
Enforcement of agreement, in case of endowment . . . . .		„ s.9.
Protected monuments . . . . .		„ s.3.
maintenance of, by Government . . . . .		„ ss.11,12.
right of access by public to monuments maintained by Govern- ment . . . . .	{	„ s.15.

ANCIENT MONUMENTS—*contd.*

Place of worship, maintained by Government; protection of, } against misuse, etc. . . . . }	Act 7, 1904, s. 13.
Relinquishment of right by Government . . . . . }	" s. 14.
Power to control excavation for the protection of ancient monu- } ments . . . . . }	{ s. 20.
Sculptures, carvings, etc.; power to control removal of . . . . . }	" s. 18.
Compulsory purchase of ancient monuments, sculptures, etc. . . . . }	" s. 10, 19.
Application of Act 1, 1894 . . . . . }	" s. 21.
Penalties and jurisdiction . . . . . }	" ss 16, 22.
Antiquities; power to control traffic in . . . . . }	" s. 17.
Protection of public servants acting under Act 7, 1904 . . . . . }	" s. 24.
Rules . . . . . }	" s. 23.

## ANAND MARRIAGE ACT, 1909. (See MARRIAGE, II, C)

Act 7, 1909.

ANCIENT MONUMENTS PRESERVATION ACT, 1904  
(See ANCIENT MONUMENTS; LAND-REVENUE, I; PUBLIC  
DEMANDS)

Act 7, 1904.

ANDAMAN AND NICOBAR ISLANDS REGULATION	{ 1876. [See ANDAMAN AND NICOBAR ISLANDS; ARMS, AMMUNITION, ETC.; CRIMINAL PROCEDURE (IND.), 13; FOREST; MARRIAGE, II, G] } 1884 . . . . . 1908 . . . . . }	Reg 3, 1876.  Reg. 1, 1884. Reg. 4, 1908.
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## ANDAMAN AND NICOBAR ISLANDS.

## 1. Preliminary.

Are a Scheduled District . . . . . }	{ Act 14, 1874, s. 1, Sch I, Pt. VIII (am. Act 8, 1883). Act 15, 1874, s. 2, Sch VI, Pt. VIII (am. Act 8, 1883). Reg. 3, 1876, s. 1 (pt rep. Reg. 1, 1884). " s. 30. " s. 3.
To what islands Reg. 3, 1876, extends . . . . . }	
Power to define limits of settlement . . . . . }	
Definitions . . . . . }	

## 2. Land.

All land vested in Crown . . . . . }	" s. 4.
Grant, etc., of licenses— to occupy land . . . . . }	" ss 5 to 9.
to take produce of land . . . . . }	" ss. 10, 32, 34.
Recovery of Government dues . . . . . }	" s. 11.
Delegation of powers as to land . . . . . }	" s. 12.

## 3. Administration of Justice.

Modifications in Code of Criminal Procedure . . . . . }	" s. 13 (am Reg. 1884, s. 3).
" Code of Civil Procedure . . . . . }	" s. 14 (am Reg. 1, 1884, s. 4, Reg. 4, 1908, s. 2).

## 4. Arrival and Departure of Vessels

Restrictions on landing of passengers or goods . . . . . }	{ Reg 3, 1876, ss. 15, 16 (am. Reg 1, 1884, s. 5). 17, 17A (ins. Reg 1, 1884, s. 6), 10, 20.
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ANDAMAN AND NICOBAR ISLANDS—*contd.*

4. Arrival and Departure of Vessels—*contd.*

Delivery of list of crew and passengers . . . . .	Reg.3,1876,s.18,21.
Inspection of vessels . . . . .	" s.22.
Provisions for preventing escape of convicts . . . . .	" ss.23,24.
Search of vessels and seizure of opium, ganja and other hurtful or intoxicating drugs . . . . .	" s.25.

5. Miscellaneous

License required by persons residing at settlement . . . . .	" ss.26,27.
Marriage of convicts . . . . .	" s.28.
Obligation to give information of convict's escape . . . . .	" s.29.
Penalties and forfeiture . . . . .	" ss.31,32,34.
Recovery of fines . . . . .	" s.35(am.Reg.1, 1884,s.7).
Power to make rules . . . . .	" s.33.

*For further provisions enacted specially for the Andaman and Nicobar  
Islands, see the appropriate heads.*

ANDAMAN AND NICOBAR ISLANDS MILITARY POLICE }  
REGULATION, 1888. (See POLICE, IV) . . . . . } Reg 2,1888.

ANGUL DISTRICT REGULATION, 1894. (See ACTS AND  
REGULATIONS OF INDIAN LEGISLATURES, I; ADMINISTRATION  
OF ESTATES (IND LAW); ADMINISTRATOR GENERAL; ANGUL  
DISTRICT; ANIMAL, B; COURT; COURT-FEES; CRIMINAL  
LAW (IND.), 25; DEREGULATIONISED TRACTS; DISTURBED  
DISTRICT; EUROPEAN BRITISH SUBJECT; EVIDENCE, II;  
EXCISE, FOREIGNER; GUARDIAN AND WARD; HINDU WIDOW;  
INDIAN MILITARY AND NAVAL FORCES; INTEREST; LAND  
(IND LAW); LAND-REVENUE, I, III; LEGAL PRACTITIONER;  
LUNATIC, MARCHING TROOPS; MARRIAGE, II; MARTINONIAL  
CAUSES; OATH AND AFFIRMATION; OPIUM; POLICE, I;  
PUBLIC OFFICER; SCHEDULED DISTRICTS; STATE OFFENCES;  
STATE PRISONER, SURVEY OF LAND; TORTS; TRAVELLER;  
TREASURE TROVE; VAGRANT, WATER) . . . . . } (Reg 1,1894.

ANGUL DISTRICT (AMENDMENT) REGULATION, 1904 . . . . . Reg.4,1904.

ANGUL DISTRICT (ORISSA)

Preliminary

Constitution of District . . . . .	Reg.1,1894,s.2.
Definitions . . . . .	" s.10.

2. Status and Laws

Angul and the Khondmals are a Scheduled District . . . . .	Act14,1874,s.1,Sch.1, Pt.V;s.4,Reg.1,1894. Act15,1874,s.2,Sch.VI,Pt. III.
What enactments to be in force in Angul and Khondmals . . . . .	Reg.1,1894,s.3,Sch.
Power of Local Government to—	
withdraw enactments from Angul and Khondmals . . . . .	" s.4.
extend enactments to Angul and Khondmals . . . . .	" s.5.
Power to construe enactments with necessary alterations . . . . .	" s.6.

ANGUL DISTRICT (ORISSA)—*contd.*

## 3. Courts.

Constitution of . . . . .	Reg. 1, 1894, ss. 11, 12, 16.
Control over . . . . .	, ss. 11, 13, 39, 35.
Jurisdiction and powers of . . . . .	, ss. 12, 14, 17.

## 4. Administration of Justice

## Criminal Justice:

Modifications in Code of Criminal Procedure . . . . .	, ss. 16 to 29.
Such modifications not to affect the Code in its application to } European British subjects; . . . . .	, s. 30

## Civil Justice:

Law to be administered . . . . .	, s. 31.
Interest . . . . .	, s. 32.
Appeals . . . . .	, s. 34.
Revision . . . . .	, s. 35.

## 5. Recovery of Public Demands.

Certificate and notice of arrear . . . . .	, ss. 36, 37.
Mode of realization . . . . .	, ss. 38, 39.
Revision of proceedings by Deputy Commissioner and Superin- } tendent . . . . .	, s. 40.
Register of proceedings . . . . .	, s. 41.
Rent due to sarbarakar may be recovered as public demand . . . . .	, s. 41A.

## 6. Village Chaukidars.

Constitution of villages . . . . .	, s. 43.
Appointment and dismissal of . . . . .	, ss. 42, 44.
Duties of . . . . .	, s. 47.
Punishment of ; appeal and revision . . . . .	, ss. 45, 46, 49.
Procedure on arrest by . . . . .	, s. 48.

## 7. Registration of Documents.

Appointment, etc., of Sub-Registrars and Registrar . . . . .	, ss. 50, 51.
Any document may be registered . . . . .	, s. 52.
Power of Local Government—	
to direct compulsory registration . . . . .	, s. 52.
to cancel or vary notification under s. 52 . . . . .	, s. 53.
to make rules . . . . .	, s. 54.
Application of Act 3, 1877 (Registration), ss. 81, 82 (offences) . . . . .	, s. 54(d).

## 8. Miscellaneous.

Restrictions on transfer of tenancy or ejectment of tenant . . . . .	, ss. 54A, 54B.
Power to define, etc., powers of officers . . . . .	, s. 14.
Government presumed entitled to exclusive use and control of } certain water . . . . .	, s. 32
Power of Deputy Commissioner to require landholders, etc., to } furnish information, etc., and to supply provisions and labour } for marching troops and officials ; appeal . . . . .	, s. 55.

ANGUL DISTRICT (ORISSA)—*contd.*

8 Miscellaneous—*contd.*

Provision as to auction sales . . . . .	Reg. 1, 1894, s. 56.
Control of agents and petition-writers . . . . .	" s. 57.
Power to grant exemption from court-fees . . . . .	" s. 58.
Administration of oath or solemn affirmation . . . . .	" s. 59.
Angul a general police-district; Superintendent to have powers of Inspector General of Police . . . . .	" s. 60.
Irregularities when not to vitiate proceedings . . . . .	" s. 7.
Indemnification for previous acts . . . . .	" s. 8.
Where sentences passed in Angul may be carried out . . . . .	" s. 9.

ANIMAL

A.—DISEASES . . . . .	{ 1. British India generally. 2. Bengal. 3. Madras Presidency.
B.—TRESPASS . . . . .	{ 1. Generally. 2. Presidency-towns.
C.—MISCELLANEOUS . . . . .	

A.—DISEASES

1. British India generally.

Act 9, 1898, extends to whole of British India . . . . .	Act 9, 1898, s. 1.
Act 9, 1898, declared in force in Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
" " " " Upper Burma (except the Shan States) . . . . .	Act 13, 1899, s. 4, Sch. 1.
Definitions . . . . .	Act 9, 1899, s. 2.
Power to regulate, restrict or prohibit the bringing or taking into British India of animals which may be liable to be affected by infectious or contagious disorders . . . . .	" s. 3.
Power to make rules for destruction, detention, disinfection, etc., of animal, fodder, harness, etc. . . . .	" s. 4.
Bar of suit, etc., for things done in good faith under Act . . . . .	" s. 5.
Act 13, 1899, extends to whole of British India . . . . .	Act 13, 1899, s. 1.
Declared in force in Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
Power to apply Act 13, 1899, to local areas by notification . . . . .	Act 13, 1899, s. 3 (am. Act 12, 1910).
Act 13, 1899, applies to horses and asses affected with glanders or farcy or any notified disease . . . . .	" s. 2.
Inspectors; appointment and status of . . . . .	" s. 4.
" search by, for diseased animals, and seizure and examination of same, destruction or restoration to owner of animal seized . . . . .	" ss 5 to 8.
" penalty for vexatious entry, search, seizure, etc., by; limitation for prosecution . . . . .	" s. 12.
Veterinary practitioner may be appointed to be both Inspector and Veterinary practitioner under Act. . . . .	" s. 15.
Disinfection of stables, etc. . . . .	" s. 9.
Information to be given when animal diseased . . . . .	" s. 10.
Animal which has been with diseased animal not to be removed without license . . . . .	" s. 11.
Bar of suit, etc., for thing done in good faith under Act . . . . .	" s. 16.
Penalties . . . . .	" s. 13.



## ANIMAL—contd.

## A.—DISEASES—contd.

## 1. British India generally—contd.

Power of Local Government to make rules under Act 15, 1899	Act 15, 1899, s. 14.
Power of Governor General in Council to make rules for cantonments as to segregation, removal, exclusion and destruction of animals suffering from infectious disease	Act 15, 1910, s. 24(52).
Railway Administration not bound to carry animal suffering from infectious or contagious disorder	Act 9, 1890, s. 54(1).
Act 5, 1910; power to apply Act to provinces by notification	Act 5, 1910 s. 1(7).
Appointment, power and duties of Inspector under	" s. 15, 6.
Punishment of Inspector for vexatious entry, search, etc.	" s. 13.
Appointment and powers of Veterinary Inspectors under	" s. 4, 3.
Registration of horses maintained for breeding purposes	" s. 2.
Inspection of horses by Veterinary Inspector	" s. 7.
Destruction, etc., of horses and mares affected with disease	" s. 5(5) 9-12.
payment of compensation; procedure for settlement of compensation; appeal to committee	
Penalties	" s. 15.
Bar of suit, etc., for thing done in good faith under Act	" s. 15.
Power to make rules	" s. 14.
Application of Act 5, 1910, to entire area	" s. 2.

## 2. Bengal.

Power of District Board as to veterinary treatment  
S. 21, C.

ANIMAL—*contd.*

B—TRESPASS—*contd.*

1. Generally—*contd.*

Act 1, 1871, declared in force in—	
the Santhal Parganas . . . . .	Reg.3,1872,s.3,Sch.
the Arakan Hill District . . . . .	Reg 9,1874,s.3.
Upper Burma generally (except the Shan States) . . . . .	Act13,1898,s.4,Sch.1.
British Baluchistan . . . . .	Reg.1,1890,s.3.
Angul District . . . . .	Reg.1,1894,s.3.
Definitions . . . . .	Act1,1871,s.3.
Pounds; establishment of . . . . .	" s.4.
" control of . . . . .	" s.5.
" rates to be charged . . . . .	" s.6.
" keepers of; appointment and status of . . . . .	" s.7,8.
" " to register seizures and furnish returns . . . . .	" s.9.
" " to take charge of animals impounded . . . . .	Act1,1871,s.10,11.
" when animals may be impounded . . . . .	" s.12.
" fines and charges for animals impounded . . . . .	" s.13to16,19.
" delivery or sale of animals impounded . . . . .	" s.17,18.
" disposal of fines, etc. . . . .	" s.20to23.
" complaints of illegal seizure or detention . . . . .	" s.24to27.
Penalties . . . . .	" s.28.
" application of . . . . .	" s.29,30.
Suits for compensation for damage done by animals . . . . .	Act1,1871,s.31.
	(C.P.andSambalpur District)Act1,
Power of Local Government to transfer certain functions under	1883,s.9(f),23(1)(c).
Act 1, 1871, to Local Authority and direct credit of surplus to	(U.P.)U.P.Act3,1906,s.42
Local Fund . . . . .	(1)(k),43(d).
	(P andN.-W.F.)Act20,
	1883,s.20(n).
Fund established under Act 1, 1871 : fines under Mad. Act 2, 1866	
(Diseases of Animals), to be credited to, and expenses of working that Act to be met from . . . . .	Mad.Act2,1866,s.17.
Trespass on railway . . . . .	Act9,1890,s.125.
" in forest See FOREST, 1 (State forests in Ajmere), 6.	
Power of police to take charge of stray animals . . . . .	Bom.Act4,1890,s.56.
	(Ran.)Bur.Act4,1899,
	s.16(9).
2. Presidency-towns.	
	(Bo.)Bom.Act4,1902,s.51
	to 53.
Impounding of animals straying or trespassing . . . . .	(Cal.)Ben.Act4,1866,s.71
	(rep.pt.Ben.Act3,1910,s.
	31).
	(Mad.)Mad.Act3,1888,s.
	23,60.
Power to make rules to control straying and grazing of animals in	Act13,1881,s.3,Sch. cl.
Fort William . . . . .	(10).

C.—MISCELLANEOUS.

Power of District Boards, Bengal, to provide for improvement of	Ben.Act3,1885,s.109,(j),
breed of horses, cattle or asses, and for breeding of mules . . . . .	(1d),138(p)(am.Ben.Act5,
	1908,s.48,60).

ANIMAL—*concd*C.—MISCELLANEOUS—*contd*

Control over keeping of 'animals' in municipalities. *See unde*  
MUNICIPALITY, *sub-heading*, "THE PUBLIC HEALTH, SAFETY  
AND CONVENIENCE."

Duty of municipality to take measures for preventing, etc., infec-  
tious disease among cattle . . . . . }

Bom. Act 3, 1901, s. 147.

" " headman of ward or village or of village-police with  
regard to cattle-disease . . . . . }

Bur. Act 3, 1907, s. 7(i), (j).  
Bur. Act 6, 1907, s. 8(1).

*See also* CRIMINAL LAW (IND.), 12; CRUELTY TO ANIMALS;  
DOG; ELEPHANT; GAME; MARCHING TROOPS, 5; SLAUGHTER  
OF ANIMALS.

ANNOYANCE, CRIMINAL. *See* CRIMINAL LAW (INDIAN), 22.

ANNUITY. *See* SUCCESSION, 6.

ANTIQUITIES, traffic in. *See* ANCIENT MONUMENTS.

## APPEAL.

*See* CIVIL COURTS; CIVIL PROCEDURE, 7; COURT OF WARDS;  
CRIMINAL PROCEDURE (INDIAN), 10; JUDICIAL COMMITTEE;  
and other appropriate heads.

APPELLATE JURISDICTION ACT, 1887. } (*See* JUDICIAL COM-  
" " " 1908 } MITTEE )

50-1 V. c. 70.

APPRENTICES ACT, 1850. (*See* APPRENTICE)

8 Edw 7. c. 51.

## APPRENTICE

Act 19, 1850.

Act 19, 1850, declared in force—

throughout British India, except as regards the Scheduled Dis-  
tricts . . . . . }

Act 15, 1874, s. 3.

in the Arakan Hill District . . . . . }

Reg. 9, 1874, s. 3.

in Upper Burma generally (except the Shan States) . . . . . }

Act 13, 1893, s. 1, Sch. 1.

Definitions . . . . . }

Act 19, 1850, s. 25.

Apprenticing of child, orphan, vagrant, etc., by parent, guardian,  
Magistrate or manager of public charity . . . . . }

" ss 1 to 4.

Apprenticing of youthful offender by authorities of Reformatory  
School . . . . . }

Act 8, 1897, ss. 22, 24.

Apprenticing boy to sea service. [*See also* MERCHANT SHIPPING,  
2 (b)] . . . . . }

Act 19, 1850, ss. 5, 7, 10.

Contract of apprenticeship:

Form of . . . . . }

" s. 8, Sch. A.

Execution of . . . . . }

" ss 9, 10

Deposit of, with Magistrate or Registrar of Shipping . . . . . }

Copies of, to be given, and to be evidence . . . . . }

" s. 10.

Alteration or determination of, by consent . . . . . }

" s. 11.

Determination or renewal of, on death of master . . . . . }

" ss 10, 20.

Determination of, on insolvency of master . . . . . }

" s. 22.

Cancellation of, for misconduct of apprentice . . . . . }

" ss. 16, 17.

Assignment of apprentice to new master . . . . . }

" s. 12, Sch. B.

Complaints to Magistrate by apprentice against master . . . . . }

" s. 13.

" by master against apprentice . . . . . }

" s. 15.

" limitation of time for making . . . . . }

" s. 18.

Punishment of apprentice by master . . . . . }

" ss. 13 to 15.

Apprentice entitled to three months' maintenance on death of  
master . . . . . }

" s. 21.

APPRENTICE—*contd.*

What persons amenable to jurisdiction of Magistrates . . .	Act 19, 1850, s. 23.
Appeal from Magistrate to Court of Session; limitation of appeal . . .	„ s. 24.
<b>ARAKAN HILL DISTRICT LAWS REGULATION, 1874.</b> (See ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; AGENCY; ALIEN; ANIMAL, B; APPRENTICE; ARAKAN HILLS; ARMS, AMMUNITION AND MILITARY STORES; BANK, 2; CAPITATION TAX, ETC.; CARRIER, ETC.; CASTE; CONTRACT; CRIMINAL LAW (IND.), 25; DISTURBED DISTRICT; EVIDENCE, II; EXCISE, FOREIGN RECRUITING; FORGIGNER; HINDU WIDOW; INDIAN MILITARY AND NAVAL FORCES; INFANTICIDE; INTEREST; LAND (IND. LAW), LANDHOLDER; LAND-REVENUE, IX; LUNATIC; MARRIAGE, II; MARRIED WOMAN; MINORITY; OATH AND AFFIRMATION, OPIUM, PARTNERSHIP; PENSIONS AND GOVERNMENT GRANTS; POLICE, I; PUBLIC OFFICER; RIVER; SCHEDULED DISTRICTS, SLAVERY; STATE OFFENCES; STATE PRISONERS; SUCCESSION; TOLLS; TORTS, TRIBUTE, VAGRANT, WASTE-LAND)	Reg. 9, 1874.
<b>ARAKAN HILL DISTRICT LAWS REGULATION, 1901.</b> (See ARAKAN HILLS, STAMP)	Reg. 2, 1901.
<b>ARAKAN HILL DISTRICT LAWS AMENDMENT REGU- LATION, 1893</b>	Reg. 8, 1893.
<b>ARAKAN HILLS CIVIL JUSTICE REGULATION, 1874.</b> (See ARAKAN HILLS)	Reg. 8, 1874.
<b>ARAKAN HILLS CIVIL JUSTICE AMENDMENT REGU- LATION, 1876.</b> (See ARAKAN HILLS)	Reg. 5, 1876.
<b>ARAKAN HILL CIVIL JUSTICE REGULATION (1874) AMENDMENT REGULATION, 1892</b>	Reg. 2, 1892.
<b>ARAKAN HILLS.</b>	

## 1. Status, Law and Administration.

The Arakan Hills are a Scheduled District	Act 14, 1874, s. 1, Sch. I, Pt. XI. Act 15, 1874, s. 2, Sch. VI, Pt. XI.
Certain Acts and Bengal Regulations declared in force, to the ex- clusion of all others then on the Statute-book	Reg. 9, 1874, ss. 2, 3, Sch.
Law to be administered	Reg. 8, 1874, s. 4.
Functions of High Court in miscellaneous matters to be dis- charged by Commissioner	Reg. 9, 1874, s.
Licenses to manufacture or deal in arms or ammunition not to be granted without express sanction of Local Government	„ s. 5.
Assessment and collection of revenue	„ ss. 10 to 14.
Boats' contents to be declared, search; seizure of spirit manu- factured out of the district and opium, ganja, ammunition and arms not protected by pass; penalties	„ ss. 15, 16, 17.
Recovery of fines imposed under Reg. 9, 1874	„ s. 18.
Conferment of magisterial powers on police-officers in Salween and Arakan Hill Districts	Act 13, 1868, s. 9.
Act 2, 1899 (Stamps), not to extend and never to be deemed to have extended to	Reg. 2, 1901, s. 2.

## 2. Civil Justice.

Definitions . . . . .	Reg. 8, 1874, s. 1.
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ARAKAN HILLS—*contd.*2. Civil Justice—*contd.*

Courts ; grades of ; powers of . . . . .	{	Reg. 8, 1874, s. 2.
Commissioner to discharge functions of High Court . . . . .		Reg. 5 1876.
<i>Res judicata</i> and pending suits . . . . .		Reg. 9, 1874, s. 4.
Appearances, applications and acts by parties, and consequences {		Reg. 8, 1874, s. 3.
of non-appearance . . . . .		" ss. 10 to 24
Institution of suits . . . . .		to 30, 55, 56.
Service of summons on defendants . . . . .		" ss. 9 to 12.
Fixing issues, preparations for hearing, and hearing . . . . .		" ss. 13 to 23.
Commissions to take evidence, make local enquiries and examine } accounts . . . . .		" ss. 31 to 37.
Judgment . . . . .		" s. 38.
Special and miscellaneous provisions . . . . .	{	" ss. 39 to 46.
Execution of decrees . . . . .		" ss. 47 to 53,
Appeal and revision . . . . .		54, 57 to 59.
Power to make rules of practice . . . . .		" ss. 60 to 66.
		" ss. 67 to 76.
		" s. 78.

## ARBITRATION.

Contract to refer existing or future disputes to ; effect of		Act 1, 1877 s. 21.
General procedure for reference to. <i>See</i> CIVIL PROCEDURE, 6.		
Act 9, 1899, extends to whole of British India . . . . .		Act 9, 1899, s. 1.
" application of, limited to cases where suit relating {		" ss. 2, 23.
to the subject-matter could be brought in a Presi-		
dency-town ; power to extend application ; appli-		
cation of Act to Rangoon . . . . .	}	
Definitions . . . . .		" s. 4.
Arbitrator ; submission to, irrevocable, except by leave of Court		" s. 5.
" form of . . . . .		" s. 6, Sch. 1.
" appointment of, by third person or by either party		" s. 7, 9.
" powers of . . . . .		" s. 10.
Award ; form, filing and effect of . . . . .		" ss. 11, 15.
Court ; power of, to appoint and remove arbitrator or umpire		" ss. 8, 16.
" " to set aside appointment of arbitrator . . . . .		" s. 9, proviso.
" " to enlarge time for, remit, or set aside award . . . . .		" ss. 12 to 14.
" " to give costs . . . . .		" s. 17.
" " to stay proceedings where there is a submission . . . . .		" s. 19.
Crown bound by Act . . . . .		" s. 22.
Forms to be used . . . . .		" s. 18, Sch. 2.
High Court ; power to make rules . . . . .		" s. 20.
Modification of Act 1, 1877, s. 21 . . . . .		" ss. 3, 21.
Provisions relating to arbitration in Code of Civil Procedure not {		" s. 3.
to apply . . . . .	}	
Application of provisions to arbitration under Act 9, 1910 . . . . .		Act 9, 1910, s. 52.
Special provisions for reference to . . . . .		
In boundary disputes :		
Bombay Presidency . . . . .		Bom. Act 5, 1879, s. 120.
Punjab and N.-W. F. . . . .		Act 17, 1887, ss. 127 to 135.
<i>See also</i> BOUNDARIES AND SURVEY-MARKS, 2, 4, SURVEY OF LAND, 1, 2.		

**ARBITRATION—*contd.***Special provisions for reference to—*contd.*

Under Indian Companies Act, 1882 . . . . .	{	Act 6, 1882, ss. 96 to 123, 206 to 211.
Under Dekkhan Agriculturists' Act. <i>See</i> DEKKHAN AGRICULTURIST, 3.		
Under Bengal Embankment Act . . . . .		Act 32, 1855, s. 7.
Under Cantonments (House-Accommodation) Act, 1902. . . . .	{	Act 2, 1902, ss. 18 to 21, 24 to 34.
Under Indian Electricity Act, 1910, application of Act 9, 1899 . . . . .	}	Act 9, 1910, s. 52.
Under Religious Endowments Act, 1863. <i>See</i> ENDOWMENT, 2		
In matters relating to land-revenue : partition of revenue paying estates, etc. :		
Assam . . . . .		Reg. 1, 1886, s. 143.
Bengal and Eastern Bengal . . . . .	{	Ben Reg. 7, 1822, ss. 33, 34.
	{	Ben Reg. 9, 1833, ss. 5 to 10.
Coorg . . . . .		Reg. 1, 1899, ss. 127 to 135.
United Provinces . . . . .	{	U P Act 3, 1901, ss. 113, 203 to 207.
Punjab and N.-W. F . . . . .		Act 17, 1887, ss. 127 to 135.
Under Municipal Act, Bombay Presidency. <i>See</i> MUNICIPALITY, VIII, A, 7.		
In partition cases . . . . .	{	Ben Act 5, 1897, ss. 51 to 55, 98.
Under Coorg Temple Funds Management Regulation . . . . .		Reg. 1, 1892, s. 20.

**ARCHDEACONS.** *See* BISHOPS AND CLERGY**ARMS ACT (INDIAN), 1878** . . . . . Act 11, 1878.**ARMS, AMMUNITION AND MILITARY STORES**

1854 Act 24 (War-knives, etc., Malabar).	1890 Bom. Act 4, ss. 42, 68 (Police, Bombay).
1872. Reg. 3, s. 3 (Laws, Santhal Parganas).	1894. Act 8, ss. 3, 5, Sch. 2 (Tariff).
1874. Reg. 9, ss. 5, 16, 17 (Arakan Hills).	1898. Act 5, s. 184 (Criminal Procedure).
1876 Reg. 3, ss. 31, 32 (Andamans).	„ Act 13, s. 4 (Laws, Burma)
1878 Act 8, s. 88 (Sea Customs).	1899. Bur. Act 4, s. 30 (a) (Police, Rangoon).
„ Act 11 (Arms etc.).	1902. Bom. Act 4, ss. 23, 127 (Police, Bombay City).
1883. Reg. 1, s. 18 (10) (Rural Police, Assam).	1908. Act 15, s. 27 (Ports).
1884. Act 4, s. 15 (Explosives).	1910 Reg. 3 (Traffic in Arms, Aden).
1888 Mad. Act 3, s. 69 (Police, Madras City).	

**1. Preliminary.****2. Control.****1. Preliminary.**

Act, 11, 1878, extends to whole of British India . . . . .	Act 11, 1878, s. 1.
„ „ declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3 Sch.
Upper Burma generally (except the Shan States)	Act 13, 1898, s. 4 Sch. 1.

**2. Control.**

Prohibition of unlicensed manufacture, conversion or sale . . . . .	Act 11, 1878, s. 5
„ „ „ importation or exportation . . . . .	„ s. 6.
„ „ „ going armed . . . . .	„ s. 13.

ARMS, AMMUNITION AND MILITARY STORES—*contd.*2. Control—*contd.*

Prohibition of unlicensed possession . . . . .	Act 11, 1878, ss. 14, 15
"     "     "     importation, manufacture, barter, sale or possession of arms, cutting instru- ments or gunpowder, into or in Andamans; penalty . . . . .	(And.) Reg. 3, 1876, ss. 31, 32.
Power to regulate or prohibit transport of . . . . .	Act 11, 1878, s. 10.
Exemptions from prohibitions:	
Arms, ammunition and stores forming part of equipment of ship . . . . .	" s. 1(a).
"     "     "     "     manufactured, possessed, etc., by order of Government or by public servant or volunteer in course of his duty . . . . .	" s. 1(b).
Arms and ammunition possessed for private use and sold to person not prohibited from possessing same . . . . .	" s. 5.
Arms (except cannon) and ammunition imported or exported for private use by person lawfully entitled to possess same . . . . .	" s. 6.
Power to exempt persons, arms, ammunition, or territory . . . . .	" s. 27.
Licenses; grant of . . . . .	" s. 17.
"     production of . . . . .	" s. 17(f).
"     suspension or cancellation of . . . . .	" s. 15.
Record or account; keeping and exhibition of, by licensees . . . . .	" s. 17(c).
Exhibition of stock of . . . . .	" s. 17(e).
Production of, on demand of Government officer . . . . .	" s. 17(f).
Deposit at police-station of arms, etc., the possession of which has become unlawful; forfeiture of license not obtained in three years . . . . .	" s. 16.
Notice to be given of sale of arms or ammunition to person not exempted from Act . . . . .	" s. 5.
Sanction of Local Government required to deposit of, in ware- house licensed under Sea Customs Act . . . . .	" s. 7.
Establishment of searching-stations on British frontier . . . . .	" s. 11.
Power to direct census of fire-arms . . . . .	" s. 32.
Customs-duties on imports of, by sea, and imports by land from foreign territory; exemptions from duty . . . . .	Act 8, 1894, ss. 3, 5, Sch. 2.
Restrictions on sale of, under Sea Customs Act . . . . .	Act 8, 1878, s. 88.
Arms Act, 1878, not affected by Explosives Act, 1884; license under latter Act may be given effect of license under former Act . . . . .	Act 4, 1881, s. 15.

## 3 Offences, Penalties and Procedure.

Offences and penalties . . . . .	{ Act 11, 1878, ss. 18, 24, 32. (And.) Reg. 3, 1876, s. 32.
"     information to be given of . . . . .	Act 11, 1878, s. 28.
Confiscation of arms, etc., for offence . . . . .	" s. 24.
Penalty for discharging fire-arm in port or from pier, etc., other- wise than for making signal of distress, etc. . . . .	Act 15, 1903, s. 27.
Penalty for unlawfully going armed in public place . . . . .	{ (Bo.) Bom. Act 4, 1890, ss. 42, 68. (Bo. Town) Bom. Act 4, 1902, ss. 23(2), 113, 127.

ARMS, AMMUNITION AND MILITARY STORES—*contd.*

3. Offences, Penalties and Procedure—*contd.*

Penalty for unlawfully going armed in public place— <i>contl.</i> <i>See also CRIMINAL PROCEDURE (INDIAN), 6 (f).</i>	{ (M.City)Mad Act3,1888, s.69. (Ran.)Bur.Act4,1899, s 30(a).
Report of offences to be made by rural policemen . . . . .	(As.)Reg 1,1883,s.18 (10).
Offences triable in Presidency-town, wherever committed . . . . .	Act5,1898,s.184.
Arrest and disposal of persons conveying arms, etc., under sus- picious circumstances . . . . . }	Act11,1878,s.12.
Disarming of person going armed without license or in contraven- tion of license . . . . . }	„ s.13.
Entry, inspection, search, seizure and detention . . . . . }	„ ss.17(d),25, 26,30.
Prosecutions ; certain, sanction required to . . . . . }	„ s.29.
„ under other law not barred, but only one punish- ment allowed . . . . . }	„ s.31.
„ notice and limitation of proceedings other than suits . . . . . }	„ s.33.
<i>See also BRITISH BALUCHISTAN II, 6 (t) ; STREETS, THOROUGH- FARES AND PUBLIC PLACES.</i>	

4. Miscellaneous and Local.

Imposition of restrictions on sea-traffic in arms, etc., between Aden and places in Gulf of Aden ;	
Definitions . . . . .	Reg.3,1910,ss.2,12, Explan.
Port-clearance required from ships leaving Aden or arriving } at Aden from selected ports . . . . . }	„ ss 3,4.
„ power to prohibit grant of, at Aden for voyages to } other than " prescribed ports ; " declaration of } " prescribed ports " . . . . . }	„ ss.5,6.
Penalty for departing from or arriving at Aden without re- quired port-clearance or for touching at interme- diate port . . . . . }	„ ss.7,9.
„ for unlawfully carrying arms, etc., between places in Gulf of Aden institution of prosecution within one year . . . . . }	„ s.8.
Detention of vessel : recovery of fine by distress and sale of vessel, tackle, etc. . . . . }	„ s.10.
Searching posts ; power to establish detention and search of boxes, etc., for arms, etc. . . . . }	„ s.11.
Power to make rules prohibiting " native vessels " trading between Aden and British Protectorates of Aden and Somaliland, from carrying arms, etc., except under license : grant of and fee for license, etc. . . . . }	„ s.12.
Power to make rules generally . . . . . }	„ s.12(1) (c).
Power to exempt any vessel or class of vessels from Regulation	„ s. 13.
War-knives and similar weapons in Malabar District :	
Prohibition of use . . . . .	(M.)Act24,1854s.1.
Penalty for possessing, purchasing, selling or manufacturing ; confiscation . . . . . }	„ s.2.
Search and seizure ; confiscation ; penalty for resisting search .	„ s.3



ARMS, AMMUNITION AND MILITARY STORES—*concl'd.*4 Miscellaneous and Local—*cont'd.*

- Licenses to manufacture or deal in arms or ammunition in Arakan Hills not to be granted without express sanction of Local Government } Reg 9, 1874, s. 5.
- Seizure and confiscation of arms and ammunition in boat on river Kuladan which are not protected by pass; penalty on boatman } „ s. 16, 17.
- See also* CHIN HILLS, 5; CHITTAGONG HILL TRACTS; KACHIN HILLS, 5.

ARMY ACT. (*See* ARMY; ARMY RESERVE; CAPITAL PUNISHMENT; EVIDENCE, II; INDIAN MILITARY AND NAVAL FORCES; NAVY; VOLUNTEER) . . . . . 44-5V.c.58.

ARMY PRIZE MONEY ACT, 1832 [1]. (*See* ARMY; PRIZE) . . . . . 2-3W.4,c.53.

## ARMY.

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|---|---|
| 1809. 49 G. 3, c. 126 (Commissions).                              | 1889. 52-3 V. c. 3 (Annual)                                       |
| 1831-2. 2-3 W. 4, c. 53, ss. 2, 29 (Prize Money)                  | 1890. 53-4 V. c. 4 (Annual)                                       |
| 1834. 4-5 W. 4, c. 24, ss. 21, 25 (Half-pay, etc.)                | 1891. 54-5 V. c. 5 (Annual)                                       |
| 1864. 27-8 V. c. 25, ss. 34, 35 (Prize Money).                    | 1892. 55-6 V. c. 2 (Annual).                                      |
| 1866. 29-30 V. c. 47 (Prize Money)                                | „ „ c. 23, s. 22 (Marriages).                                     |
| „ 29-30 V. c. 100, s. 88 (Discipline on board ship).              | 1893. 56-7 V. c. 4 (Annual)                                       |
| 1867-8. 31-2 V. c. 38 (Indian Prize Money).                       | „ 56-7 V. c. 5 (Regimental Debts).                                |
| 1874. 37-8 V. c. 61 (Ordnance Corps).                             | 1894. 57-8 V. c. 3 (Annual).                                      |
| 1879. 42-3 V. c. 8 (Registration of Births, Deaths and Marriages) | „ 57-8 V. c. 45 (Uniform)   |
| 1881. 44-5 V. c. 57, s. 55 (Regulation of the Forces).            | 1895. 58-9 V. c. 7 (Annual)                                       |
| „ 44-5 V. c. 58 (Discipline and Regulation).                      | 1896. 59-60 V. c. 2 (Annual).                                     |
| 1882. 45-6 V. c. 7 (Annual).                                      | 1899. 62-3 V. c. 3, ss. 4-6 (Annual)                              |
| 1883. 46-7 V. c. 6 (Annual).                                      | „ c. 40 (Reserve Forces)  |
| 1884. 47-8 V. c. 8 (Annual).                                      | „ Act 19 (Currency Conversion).                                   |
| 1884-5. 48-9 V. c. 8 (Annual).                                    | 1901. 1 Edw. 7, c. 2, ss. 4-5 (Annual).                           |
| 1886. 49-50 V. c. 8 (Annual).                                     | 1904. 4 Edw. 7, c. 5, ss. 4-14 (Annual)                           |
| 1887. 50-1 V. c. 2 (Annual)                                       | 1906. 6 Edw. 7, c. 2, ss. 4-10 (Annual).                          |
| 1888. 51-2 V. c. 4 (Annual)                                       | 1907. 7 Edw. 7, c. 2, ss. 4-10 (Annual).                          |
| 1. Maintenance and Command.                                       | 1908. 8 Edw. 7, c. 2, ss. 4, 5 (Annual).                          |
| 2. Commissions and Officers.                                      | 1909. 9 Edw. 7, c. 3, ss. 4-11 (Annual).                          |
| 3. Enlistment and Service.  | 1910. 10 Edw. 7, c. 6 (Annual).                                   |
| 4. Discipline and Regulation                                      | 5. Billeting and Impressment of Carriages, etc.                   |
|   | 6. Pay, Pension, Booty and Prize Money, Decorations, and Effects. |
|   | 7. Miscellaneous.   |

*See also* ARMY RESERVE; INDIAN MILITARY AND NAVAL FORCES.

## 1. Maintenance and Command.

- Maintenance of standing army within realm in time of peace, } 59-60V.c.2,preamble.  
without consent of Parliament, illegal . . . . . }
- Necessity for maintenance of . . . . . " " "
- Power of Crown to make regulations as to command and mode of } 44-5V.c.58,s.71.  
exercise of command . . . . . }

[1] This short title was given by 59 & 60 Vict., c. 14.

ARMY—*contd.*

## 2. Commissions and Officers.

Signature, etc., of commissions prepared under authority of sign manual	25-6V.c.4.
Proof of rank, status, appointments, corps, by Army Lists or Gazette	44-5V.c.58,s.163(1)(d).
Penalties for buying or selling, or negotiating purchase, etc., of commission, promotion, retirement, or exchange	49G.3.c.126. 44-5V.c.58,s.153.
Exchanges authorized by regulations exempt from penalty	„ s.153(j).
Compensation on retirement to officers who, on Nov. 1, 1871, served in Indian ordnance corps	37-8V.c.61.
Army Purchase Commissioners' appointment, powers, duties, and officers of	
Pay, half-pay, and pension. <i>See below</i> 6.	
Privileges, exemptions, disqualification. <i>See below</i> , 7 (a)	

## 3. Enlistment and service.

Term and conditions of enlistment, change of conditions	44-5V.c.58,ss.76to78. 9Edw.7,c.3,s.4,Sch.2.
Reckoning and forfeiture of service	44-5V.c.58,ss.73, 79,84,161. 54-5V.c.5,s.4. 62-3V.c.3,s.5. 9Edw.7,c.3,s.4,Sch.2.
Mode of enlistment, oath of allegiance, date of attestation	44-5V.c.58,s.80. 9Edw.7,c.3,s.4,Sch.2. 55-6V.c.2,s.5. 46-7V.c.6,s.5.
Provision as to duplicate attestation papers	44-5V.c.58,s.81.
Power of recruit to purchase discharge	44-5V.c.58,ss.82,83, 182(2). 58-9V.c.7,s.8. 62-3V.c.3,s.6(1). 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Appointment to corps, and transfers	44-5V.c.58,s.190(15). 58-9V.c.7,s.8,62-3V.c.3,s.6(2).
Definition of corps	44-5V.c.58,ss.84to86. 49-50V.c.8,s.6. 9Edw.7,c.3,s.4,Sch.2.
Re-engagement and continuance in service	44-5V.c.58,s.87. 45-6V.c.7,s.4(2). 9Edw.7,c.3,s.4,Sch.2.
Prolongation of service or army service in certain cases	44-5V.c.58,s.88. 48-9V.c.8,s.5. 9Edw.7,c.3,s.4,Sch.2.
Continuance in army service in case of danger or emergency	44-5V.c.58,s.87(2),89, 90. 45-6V.c.7,s.5. 54-5V.c.5,s.5. 62-3V.c.40,s.1. 9Edw.7,c.3,s.4,Sch.2.
Transfer to reserve	44-5V.c.58,ss.90,92,158. 45-6V.c.7,s.5. 51-2V.c.4,s.5. 8Edw.7,c.2,s.4. 9Edw.7,c.3,s.4,Sch.2.
Discharge; certificate of discharge	

ARMY—*contd.*3. Enlistment and service—*contd.*

Subjection to military law until discharge or transfer . . . . .	{	44-5V.c.58,ss.90(1),(3), 92,(1),158(2). 7Edw.7,c.2,s.9, Sch 3 9Edw.7,c.3,s.4,Sch 2
Sending of lunatic on discharge with wife or child to work-house or asylum . . . . .	{	44-5V.c.58,s.91. 52-3V.c.3,s.5. 54-5V.c.5,s.6. 57-8V.c.3,s.5. 62-3V.c.3,s.4. 9Edw.7,c.3,s.4,Sch 2.
Disposal of effects on discharge on ground of insanity. <i>See below</i> , 6 (e) (2).		
Regulations of Secretary of State as to enlistment . . . . .	{	44-5V.c.58,s.93 9Edw.7,c.3,s.4,Sch 2.
What officers, magistrates, and others to have powers of justices as to enlistment . . . . .	{	44-5V.c.58,s.91. 46-7V.c.6,s.6 9Edw.7,c.3,s.4,Sch.2
Enlistment of aliens and negroes . . . . .	{	44-5V.c.58,s.95. 4Edw.7,c.5,s.6(1).
Claims to apprentices and indentured labourers . . . . .	{	44-5V.c.58,ss.96,97, 144 (2),Sch.I.
Penalty on unlawful recruiting . . . . .	{	" " 98 " ss.33,99,163(1) (a).
False answers on attestation . . . . .	{	" ss.32to34. " s.163(1)(a)
Offences as to enlistment [ <i>see below</i> , 4 (b)] . . . . .	{	44-5V.c.58,s.100(1). 9Edw.7,c.3,s.4,Sch.2.
Proof of enlistment . . . . .	{	44-5V.c.58,s.100(2) 9Edw.7,c.3,s.4,Sch.2.
Validity of attestation or re-engagement after receipt of pay for three months . . . . .	{	44-5V.c.58,s.100(3). 9Edw.7,c.3,s.4,Sch 2.
Person in pay deemed soldier; right to claim discharge . . . . .	{	44-5V.c.58,s.101(1)73. 62-3V.c.3.
Examination of claim to discharge for want of or irregularity in attestation or re-engagement . . . . .	{	44-5V.c.58,s.101(2). 9Edw.7,c.3,s.4,Sch 2.
Definition of competent military authority . . . . .	{	44-5V.c.58,s.180(2)(h) " s.181(1), 6Edw.7,c.2,s.5(2)
" " how far applicable to auxiliary forces {		
Pension on discharge. <i>See below</i> , 6.		
In India. <i>See</i> INDIAN MILITARY AND NAVAL FORCES, III, 2.		

## 4. Discipline and Regulation.

## (a) DEFINITION AND APPLICATION OF MILITARY LAW.

Army Act . . . . .	{	44-5V.c.59
" " how brought into and continued in force . . . . .	{	44-5V.c.58,s.2. 59V.c.2,s.2.
" " division of, into parts . . . . .	{	44-5V.c.58,s.3. 45-6V.c.7,s.6. 46-7V.c.6,s.11. 47-8V.c.8,s.8 48-9V.c.8,s.8
" " printing amendments in copies of . . . . .	{	

ARMY—*contd.*4. Discipline and Regulation—*contd.*(a) DEFINITION AND APPLICATION OF MILITARY LAW—*contd.*

## Persons subject to military law—

		44-5V.c.58,ss.175,190 (4).
as officers . . . . .		46-7V.c.6,s.9. 4Edw.7,c.5,s.10. 8Edw.7,c.2,s.5. 9Edw.7,c.3,s.4,Sch.2, s.8(I).
„ provisions as to persons accompanying forces on active service . . . . .		44-5V.c.58,s.175(7,8). 45-6V.c.7,s.4(6). 9Edw.7,c.3,s.4,Sch.2.
as soldiers . . . . .		44-5V.c.58,ss.176,190 (5,6). 6Edw.7,c.2,s.10. 9Edw.7,c.3,s.8(2).
„ provisions as to persons employed by or accom- panying troops on active service . . . . .		44-5V.c.58,s.176(9,10).
application of Army Act to, whether within or without Her Majesty's dominions . . . . .		50V.c.2,s.2(2).
„ „ „ though number of men in service greater or less than specified in annual Act . . . . .		„ s.2(3).
Volunteers, militia, etc., raised in India or colony, and serving with regulars . . . . .		44-5V.c.58,s.177. 9Edw.7,c.3,ss.8(3),9.
Auxiliary forces and pensioners . . . . .		44-5V.c.58,ss.178,190 (12). 9Edw.7,c.3,s.10(I).
Modifications of Army Act in application to—		
marines . . . . .		44-5V.c.58,ss.179,190 (8,15). 4Edw.7,c.5,s.11. 9Edw.7,c.3,s.4,Sch.2.
Indian forces ( <i>see also</i> INDIAN MILITARY AND NAVAL FORCES)		44-5V.c.58,ss.180,190.
auxiliary forces . . . . .		„ ss.178,181,190. 6Edw.7,c.2,s.5(2).
persons subject to military law while on board ship		44-5V.c.58,s.188.
persons not belonging to Her Majesty's forces		„ s.184.
Special provisions as to warrant officers not holding honorary commissions . . . . .		„ ss.180(2)(g),182. 46-7V.c.6,s.10.
„ „ non-commissioned officers and army schoolmasters . . . . .		44-5V.c.58,s.44(6),183. 54-5V.c.5,s.10. 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Interpretation of term "active service" . . . . .		44-5V.c.58,s.189(I).
Making forces in British Possession or out of Her Majesty's domi- mons subject to Army Act as if on active service in certain cases . . . . .		„ s.189(2to5).
Interpretation of terms "officer," "soldier," regular forces, "corps," "battalion," etc . . . . .		„ s.190. 53-4V.c.4,s.9. 58-9V.c.7,s.8,9. 9Edw.7,c.3,ss.10(2),11.
Indian law . . . . .	See INDIAN MILITARY AND NAVAL FORCES. III.	
3(a).		

ARMY—*contd.*3. Enlistment and service—*contd.*

Subjection to military law until discharge or transfer . . . . .	{	44-5V.c.58,ss.90(1),(3), 92,(1),158(2) 7Edw.7,c.2,s.9, Sch.3 9Edw.7,c.3,s.4,Sch.2
Sending of lunatic on discharge with wife or child to work-house or asylum . . . . .	{	44-5V.c.58,s.91. 52-3V.c.3,s.6. 54-5V.c.5,s.6. 57-8V.c.3,s.6. 52-3V.c.3,s.4. 9Edw.7,c.3,s.4,Sch.2.
Disposal of effects on discharge on ground of insanity. <i>See below</i> , 6 (e) (2).		
Regulations of Secretary of State as to enlistment . . . . .	{	44-5V.c.58,s.93. 9Edw.7,c.3,s.4,Sch.2.
What officers, magistrates, and others to have powers of justices as to enlistment . . . . .	{	44-5V.c.58,s.94. 46-7V.c.6,s.6 9Edw.7,c.3,s.4,Sch.2.
Enlistment of aliens and negroes . . . . .	{	44-5V.c.58,s.95. 4Edw.7,c.5,s.6(1).
Claims to apprentices and indentured labourers . . . . .	{	44-5V.c.58,ss.96,97, 144 (2),Sch.I.
Penalty on unlawful recruiting . . . . .	{	" s.98
False answers on attestation . . . . .	{	" ss.33,99,163(2) (a).
Offences as to enlistment [ <i>see below</i> , 4 (b)] . . . . .	{	" ss.32to34.
Proof of enlistment . . . . .	{	" s.163(1)(a).
Validity of attestation or re-engagement after receipt of pay for three months . . . . .	{	44-5V.c.58,s.100(1). 9Edw.7,c.3,s.4,Sch.2.
Person in pay deemed soldier; right to claim discharge . . . . .	{	44-5V.c.58,s.100(2). 9Edw.7,c.3,s.4,Sch.2.
Examination of claim to discharge for want of or irregularity in attestation or re-engagement . . . . .	{	44-5V.c.58,s.100(3). 9Edw.7,c.3,s.4,Sch.2.
Definition of competent military authority . . . . .	{	44-5V.c.58,ss.101(1)73 62-3V.c.3.
" Reserve " means first class of army reserve . . . . .	{	44-5V.c.58,s.101(2). 9Edw.7,c.3,s.4,Sch.2.
Provisions as to enlistment not applicable to Indian forces . . . . .	{	44-5V.c.58,s.180(2)(h)
" " " how far applicable to auxiliary forces {		" s.181(1), 6Edw.7,c.2,s.5(2).
Pension on discharge. <i>See below</i> , 8.		
In India. <i>See</i> INDIAN MILITARY AND NAVAL FORCES, III, 2.		

## 4. Discipline and Regulation.

## (a) DEFINITION AND APPLICATION OF MILITARY LAW.

Army Act . . . . .		44-5V.c.58.
" " how brought into and continued in force . . . . .	{	44-5V.c.58,s.2. 59V.c.2,s.2.
" " division of, into parts . . . . .	{	44-5V.c.58,s.3.
" " printing amendments in copies of . . . . .	{	45-6V.c.7,s.6. 46-7V.c.6,s.11. 47-8V.c.8,s.8. 48-9V.c.8,s.8.

ARMY—*contd.*

4. Discipline and Regulation—*contd*

(a) DEFINITION AND APPLICATION OF MILITARY LAW—*contd.*

Persons subject to military law—

		44-5V.c.58,ss.175,190 (4).
as officers . . . . .		46-7V.c.6,s.9. 4Edw.7,c.5,s.10. 8Edw.7,c.2,s.5. 9Edw.7,c.3,s.4,Sch.2, s.8(1).
„ provisions as to persons accompanying forces on active service . . . . .		44-5V.c.58,s.175(7,8). 45-6V.c.7,s.4(6). 9Edw.7,c.3,s.4,Sch.2.
as soldiers . . . . .		44-5V.c.58,ss.176,190 (5,6). 6Edw.7,c.2,s.10. 9Edw.7,c.3,s.8(2).
„ provisions as to persons employed by or accom- panying troops on active service . . . . .		44-5V.c.58,s.176(9,10).
application of Army Act to, whether within or without Her Majesty's dominions . . . . .		59V.c.2,s.2(2).
„ „ „ though number of men in service greater or less than specified in annual Act . . . . .		„ s.2(3).
Volunteers, militia, etc., raised in India or colony, and serving with regulars . . . . .		44-5V.c.58,s.177. 9Edw.7,c.3,ss.8(3),9.
Auxiliary forces and pensioners . . . . .		44-5V.c.58,ss.178,190 (12). 9Edw.7,c.3,s.10(1).
Modifications of Army Act in application to—		
marines . . . . .		44-5V.c.58,ss.179,190 (8,15). 4Edw.7,c.5,s.11. 9Edw.7,c.3,s.4,Sch.2.
Indian forces ( <i>see also</i> INDIAN MILITARY AND NAVAL FORCES)		44-5V.c.58,ss.180,190.
auxiliary forces . . . . .		„ ss.178,181,190 6Edw.7,c.2,s.5(2)
persons subject to military law while on board ship		44-5V.c.58,s.188.
persons not belonging to Her Majesty's forces		„ s.184.
Special provisions as to warrant officers not holding honorary commissions . . . . .		„ ss.180(2)(g),182. 46-7V.c.6,s.10.
„ „ „ non-commissioned officers and army schoolmasters . . . . .		44-5V.c.58,ss.44(6),183. 54-5V.c.3,s.10. 7Edw.7,c.2,s.9,Sch.1. 9Edw.7,c.3,s.4,Sch.2.
Interpretation of term "active service" . . . . .		44-5V.c.58,s.189(1).
Making forces in British Possession or out of Her Majesty's domi- nions subject to Army Act as if on active service, in certain cases . . . . .		„ s.189(2to5).
Interpretation of terms "officer," "soldier," "regular forces," "corps," "battalion," etc. . . . .		„ s.190. 53-4V.c.4,s.9. 58-9V.c.7,s.8,9. 9Edw.7,c.3,ss.10(2),11.
Indian law. <i>See</i> INDIAN MILITARY AND NAVAL FORCES, III, 3(a).		

ARMY—*contd.*4. Discipline and Regulation—*contd.*

## (b) OFFENCES PUNISHABLE BY MILITARY LAW.

Offences in relation to the enemy punishable with death . . . . .	44-5V.c.58,s.4.
"                    "                    "                    not punishable with death . . . . .	"          s.5.
Enemy includes armed mutineers, rebels and rioters, and pirates . . . . .	"      s 190(20).
Offences punishable more severely on active service than at other times . . . . .	"      ss.6(I),189.
Misbehaviour of sentinel . . . . .	"      s 6(I)(k).
Occasioning false alarms . . . . .	"      s.6(I)(h), (2).
Disclosing watchword, etc . . . . .	"      s.6(I)(i),(2).
Mutiny, seducing from allegiance, etc., in regulars, reserves, auxiliary forces, or navy [ <i>see also below</i> , 7 (b)] . . . . .	"      s 7,158,161, 190.
Violence, disobedience, etc., to superior officer . . . . .	"      9Edw.7,c.3,s 4,Sch.2, 44-5V.c.58,ss 8,9,190, (7).
Insubordination . . . . .	"          s.10.
Neglect to obey general or garrison or other orders . . . . .	"          s.11.
Desertion, attempt to desert, or persuading to desert [ <i>see also below</i> , 7 (b)] . . . . .	"      ss 12,79,83(7), 158, 161, "      9Edw.7,c.3,s 4,Sch.2.
Assisting or conniving at desertion [ <i>see also below</i> , 7 (b); and NAVY, 3 (b)] . . . . .	"      44-5V.c.58,s.14.
Punishment for pretending to be a deserter. <i>See below</i> , 7 (b). . . . .	"      44-5V.58,ss 13,79,83(7), 138,158,161,190, 6Edw.7,c.2,s.5(I), 9Edw.7,c.3,s.4,Sch.2, s.10(3).
Fraudulent enlistment . . . . .	"      44-5V.c.58,ss.15,46.
Absence without leave . . . . .	"          s.16.
Disposal of effects on desertion or absence without leave. <i>See below</i> , 8 (e) (2). . . . .	"          s.17.
Scandalous conduct of officer . . . . .	"          s.18.
Embezzlement, etc., of public or regimental money or goods . . . . .	"      ss.19,44(5to10), 46, 183 (I).
Malingering, maiming, stealing from comrade, etc., and other disgraceful conduct of soldier . . . . .	"      46-7V.c.6,s.4.
Drunkenness . . . . .	"      44-5V.c.58,ss.20,21.
"      amendment of s. 46 of Act of 1831 . . . . .	"      7Edw.7,c.2,s.9,Sch.3, 44-5V.c.58,s 22, s 23.
Offences as to prisoners . . . . .	"      ss 24,190(17), 18,40).
Escape or attempted escape of prisoner . . . . .	"      56-7V.c.4,s.4.
Corrupt dealings in respect of supplies . . . . .	"      44-5V.c.58,ss.25,26, 56-7V.c.4,s 5.
Soldier making away with or losing equipment or horse, wilfully injuring equipment, etc., or property, or ill-treating horse, etc. . . . .	"      44-5V.c.58,s.25(3).
Offences as to reports or other documents . . . . .	"          s 27..
Making false official declaration . . . . .	"          s.27(3).
False accusations or statements . . . . .	"          s.27(3).
False statement of desertion or fraudulent enlistment, desertion from navy, etc. [ <i>see also</i> NAVY, 5 (b)] . . . . .	"          s.27(3).

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

Offences in relation to courts-martial . . . . .	{	44-5V.c.58,s. 28. 7Edw.7,c.2,s.9,Sch. 3.
Summary imprisonment for contempt of court-martial . . . . .	{	44-5V.c.58,s.28. 7Edw.7,c.2,s.9,Sch.3.
False evidence before military tribunal . . . . .		44-5V.c.58,s.29.
Enlistment by soldier or sailor discharged or dismissed with dis- grace from regulars, reserves, auxiliaries or navy . . . . .	{	" s.32. 47-8V.c.8,s.4. 56-7V.c.4,s.6.
False answer on enlistment ( <i>see also above</i> , 3) . . . . .		44-5V.c.58,s.33.
Being concerned in enlistment with knowledge that man enlist- ing commits an offence . . . . .	{	" s.34(1).
Contravention of enactments or regulations by recruiter . . . . .		" s.34(2).
Traitorous or disloyal words as to Sovereign . . . . .		" s.35.
Injurious disclosures . . . . .		" s.36.
Ill-treatment of soldier . . . . .		" s.37(1).
Detention of pay of officer or soldier . . . . .		" s.37(2).
Duelling, attempt to commit suicide . . . . .		" s.38.
Refusal to deliver to civil power officers, etc., accused of offences } punishable by Civil Court [ <i>see also below</i> , 7 (b)] . . . . .	{	" s.39.
Conduct to prejudice of order and discipline . . . . .		" s.40.
Offences punishable by ordinary law . . . . .	{	" ss 41,49(3). 49-50V.c.8,s.4. 50-1V.c.2,s.4.
Trafficking in commissions. <i>See above</i> , 2. Indian law. <i>See</i> INDIAN MILITARY AND NAVAL FORCES, III, 3 (b).		

(c) OFFENCES PUNISHABLE CIVILLY, AND OFFENCES BY PERSONS  
NOT SUBJECT TO MILITARY LAW.

*See above*, 2, 3, and *below*, 6 (b), 7 (b).

Indian law. *See* CRIMINAL LAW (INDIAN), 4, 5, INDIAN MILI-  
TARY AND NAVAL FORCES, III, 3 (d).

(d) TRIAL AND PUNISHMENT OF OFFENCES

(1) *Arrest and Investigation*

Placing offenders in custody, report, investigation of charges . . . . .	44-5V.c. 58,s.45.
Power to make rules as to investigation . . . . .	" s.70(1)(i).
Apprehension of deserters. <i>See below</i> , 7 (b).	

(2) *Powers of Commanding Officer.*

Power of commanding officer to dismiss charge . . . . .	" s.46(1).
	" ss.46,138(f).
	182(1),183(1).
	45-6V.c.7,s.4.
	56-7V.c.4,s.7.
Summary punishment of soldiers by commanding officer. . . . .	{
	4Edw.7,c.5,s.4.
	6Edw.7,c.2,s.1(2).
	7Edw.7,c.2,s.10(2).
	10Edw.7,c.6.
Right to require evidence to be taken on oath, and to demand } court-martial, except in case of minor punishments . . . . .	{
	44-5V.c.58,s.46(6).
	56-7V.c.4,s.7(3).
	7Edw.7,c.2,s.5.



ARMY—*contd.*4. Discipline and Regulation—*contd.*(2) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*(3) *Courts-martial*.

Warrants and authorities for convening and confirming general and district courts-martial . . . . .	{	44-5V.c.58,ss 122,123, 172. 9Edw.7,c.3,s 4,Sch.2, s. 6.
Convening, constitution, and powers of regimental, general, district, and field general courts-martial . . . . .	{	44-5V.c.58,ss,47to50, 182,184 (1). 56-7V.c 4,ss 8,9(1)to (4). 6Edw.7,c.2,s.4(3),(4). 44-5V.c.58,s 51. 6Edw.7,c.2, 4(4). 44-5V.c.58,ss 55.70 (1)(b). 7Edw 7,c.2,s 9,Sch.3.
Challenge by accused . . . . .	{	44-5V.c.58,ss 52,190 (28). 6Edw.7,c.2,s.4(4) 7Edw.7,c.2,s.9,Sch 3.
Power to make rules as to Courts . . . . .	{	44-5V.c.58,s.127. ss.52,125,190 (28)
Oaths or declarations of members, judge advocate, officers in attendance, shorthand-writers, witnesses . . . . .	{	ss.128, s.29.
Courts governed by United Kingdom law only . . . . .	{	ss 126(2), 180(2)
Summoning, privilege, etc., of witnesses . . . . .	{	s.28.
Rules of evidence the same as in English Civil Courts . . . . .	{	7Edw 7,c.2,s.0,Sch.3.
False evidence by military witness . . . . .	{	44-5V.c.58,s 126.
False evidence by civilian . . . . .	{	s.180(1)
Misconduct as witnesses or contempt, by person subject to military law . . . . .	{	s.120.
" " " by civilian . . . . .	{	57-8.c 3,s 6.
" " " " in India . . . . .	{	44-5V.c 58,s 53.
Rules for conduct of counsel, contempt of Court, etc. . . . .	{	6Edw.7,c 2,s.4(4)
Dissolution, adjournment, view, voting, etc. . . . .	{	44-5V.c 58,ss.56,70(1) (c), (d)
Power to make rules as to adjournment, etc., and procedure . . . . .	{	7Edw.7,c 2,s.9,Sch 3
Power to include several charges of desertion or fraudulent enlistment in one arraignment . . . . .	{	44-5V.c.58,ss.12(2),13 (2).
Conviction of less offence on charge of greater . . . . .	{	s. 56.
Special finding, and proceedings, where prisoner insane . . . . .	{	6Edw.7,c.2,s.4(4). 44-5V.c 58,s.130.
Discharge on finding of acquittal on all charges . . . . .	{	7Edw.7,c.2,s.9,Sch.3. 44-5V.c.58,s.54(3). ss.41,44,47(5), 48(6,8),49,55 (2), 137,138,182(1,2), 183(3).
Power of Courts as to sentences . . . . .	{	55-6V.c.2,s 4. 56-7V.c.4,s.9(5).

ARMY—*contd.*4. Discipline and Regulation—*contd.*(d) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*(3) *Courts-martial*—*contd.*

Power of Courts as to sentences— <i>contd.</i>	6Edw.7,c.2,ss.4(1), (3),7(1),(2). 7Edw.7,c.2,s.10(1),(3). 9Edw.7,c.3,s.4,Sch.2.
Recommendation for mercy	44-5V.c.58,s.53(9).
Finding of acquittal not subject to confirmation, etc.	„ s.54(3). „ ss.49(3),54,55(2), 130(4),188.
Confirmation, revision, and approval of findings and sentences other than findings of acquittal	56-7V.c.4,s.9(6),(7). 6Edw.7,c.2,s.4(4). 7Edw.7,c.2,s.9,Sch.3.
Power to make rules as to confirmation and revision	44-5V.c.58,s.70(1)(e). 7Edw.7,c.2,s.9,Sch.3.
Abolition of summary courts-martial	56-7V.c.4,s.9(8). 44-5V.c.58,ss.44(10), 57,83(7). 53-4V.c.4,s.5. 62-3V.c.3,s.5.
Commutation, mitigation, remission, suspension, etc., of sentences	4Edw.7,c.5,s.5. 6Edw.7,c.2,s.4(1),(2). 7Edw.7,c.2,ss.10(1),9, Sch.3.
Power to commute imprisonment into summary punishment	48-9V.c.8,s.4.
„ „ punishment of death for murder	50-1V.c.2,s.5.
„ make rules enabling valid to be substituted for invalid sentence	49-50V.c.8,s.5.

(4) *Punishments, Execution of Sentences, Prisons.*

Powers of commanding officer as to punishments	44-5V.c.58,s.46. 45-6V.c.7,s.4(1). 56-7V.c.4,s.7. 6Edw.7,c.2,s.4(2). 7Edw.7,c.2,s.10(2). 10,Edw.7,c.6.
Scale of punishments by court-martial	44-5V.c.58,ss.44,137, 138. 45-6V.c.7,s.4(3). 55-6V.c.2,s.4. 7Edw.7,c.2,s.10.
Punishments for civil offences	44-5V.c.58,s.41. 49-50V.c.8,s.4. 59-1V.c.2,s.4.
Summary punishment, other than flogging, of soldier on active service for certain offences	44-5V.c.58,s.44(5). (6),(9),(10).
Prohibition of inflicting punishments not authorized by Act, under authority derived from foreign ruler	47-8V.c.8,s.5.
Restriction on cumulative sentences of imprisonment	44-5V.c.58,s.68(2). 9Edw.7,c.2,s.9,Sch.3.
Commencement of term of penal servitude or imprisonment	44-5V.c.58,s.68(1). 7Edw.7,c.2,s.9,Sch.3.
Effect of sentence of penal servitude	44-5V.c.58,s.53.

ARMY—*contl.*4. Discipline and Regulation—*contd.*(d) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*(4) *Punishments ; Execution of Sentences ; Prisons—contd.*

Execution of sentences by provost-marshal abroad . . . . .	{	44-5V.c.58,s.74(2). 7Edw.7,c.2,s.10(4).
Execution of sentences of penal servitude passed in United Kingdom, India, etc. ; transfer of military convicts to penal servitude prisons, etc. . . . .	{	44-5V.c.58,ss.58to62, 68(1). 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
bringing up prisoner as witness, or for trial . . . . .	{	44-5V.c.58,ss.63to68, 131. 51-2V.c.4,s.4. 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Transfer of prisoners sentenced to imprisonment exceeding one year, or to penal servitude, to United Kingdom, unless otherwise ordered, or belonging to excepted class . . . . .	{	44-5V.c.58,s.131. 9Edw.7,c.2,s.9,Sch.3.
Obligation of governors of prisons, keepers of police-stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody . . . . .	{	44-5V.c.58,ss.131(1), 132.
Military prisons, establishment and regulation of, corporal punishment for offences in ; provisions as to duties of gaolers, medical officers, and coroners in . . . . .	{	" s.133. 6Edw.7,c.2,s.9. 7Edw.7,c.2,ss.6,9,10(5), Sch.3.
Inquiry on death by violence under suspicious circumstances in military prison in India . . . . .	{	44-5V.c.58,s.133(3,4). 7Edw.7,c.2,s.9,Sch.3.
Restrictions on confinement in prison other than military prison in India or colony . . . . .	{	44-5V.c.58,s.134.
Rules by Secretary of State for classification and treatment of prisoners . . . . .	{	" s.135. 52-3V.c.3,s.4.
Treatment of prisoners becoming insane . . . . .	{	44-5V.c.58,s.130(5). 7Edw.7,c.2,s.9,Sch.3.
Sentence not affected by offender ceasing to be subject to military law . . . . .	{	44-5V.c.58,s.158(2).
Power to make rules for execution of sentences, etc. . . . .	{	" s.70. 7Edw.7,c.2,s.9,Sch.3.
Order of Secretary of State as to imprisonment, etc., on production of proceedings or certified copy . . . . .	{	44-5V.c.58,s.165.
Provisions as to validity of orders . . . . .	{	" s.172. 40-7V.c.6,s.8. 9Edw.7,c.3,s.4,Sch.2.
Execution of sentence passed on board ship . . . . .	{	44-5V.c.58,s.188.
Commutation, etc., of sentences. <i>See above</i> , (3).		

(5) *Miscellaneous Provisions as to Trial and Punishment.*

Subjection to military law until discharge or transfer to reserve . . . . .	{	" ss.90(1,3),92(1), 158(2). 7Edw.7,c.2,ss.10(7),9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Trial after ceasing to be subject to military law . . . . .	{	44-5V.c.58,ss.158,161. 9Edw.7,c.3,s.4,Sch.2.
" elsewhere than where offence committed . . . . .	{	44-5V.c.58,ss.159,160.
" limitation of time for . . . . .	{	" ss.158(1),161. 9Edw.7,c.3,s.4,Sch.2.

Power to make Articles of War; restriction on liability to punishment under Articles . . . . .	} 44 5V.c.58 s.60
Power to make rules for Courts of inquiry . . . . .	{ " s.70(1)(a), (5). 1Edw.7,c.2,s.4. 7Edw.7,c.2,s.9,Sch.3.
Court of inquiry on absence of soldier . . . . .	44-5V.c.58,s.72.
Effect of confession of desertion or fraudulent enlistment . . . . .	{ 44-5V.c.58,s.73. 62-3V.c.3,s.5. 6Edw.7,c.2,s.8.
Restitution of property or proceeds of property stolen, etc. . . . .	{ 44-5V.c.58,s.75. 9Edw.7,c.3,s.4,Sch.2.
Provost-marshal; appointment and powers of, abroad . . . . .	{ 44-5V.c.58,s.74. 7Edw.7,c.2,s.10(f).
" duty of, to receive prisoners . . . . .	44-5V.c.58,s.47(7).
" impeding or refusing to assist . . . . .	s.6(f).

ARMY—*contd.*4. Discipline and Regulation—*contd.*(e) MISCELLANEOUS PROVISIONS AS TO DISCIPLINE AND REGULATION—*contd.*

Redress of wrongs, complaint for, by officer . . . . .	{	44-5V.c.58,ss.42,180(2) (d). 9Edw.7,c.3,s.4,Sch.2.
" " " by soldier . . . . .	{	44-5V.c.58,s.43. 6Edw.7,c.2,s.6. 7Edw.7,c.2,s.4.
" " false statement or suppression on complaint for . . . . .	{	44-5V.c.58,s.27(2).
Extension of furlough in case of sickness . . . . .	{	" s.173. 9Edw.7,c.3,s.4,Sch.2.
" " false statement in respect of . . . . .	{	44-5V.c.58,s.27(4).
Exercise of powers vested in holder of military office . . . . .	{	" s.171. 48-9V.c.8,s.6.
Provisions as to warrants and orders . . . . .	{	44-5V.c.58,ss.163(I)(e), 172. 46-7V.c.6,s.8. 48-9V.c.8,s.7.
Trial of offences on board ship by regimental court-martial . . . . .	{	Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Application, by Order in Council, of naval discipline to troops, including auxiliaries, on board ship in commission . . . . .	{	44-5V.c.58,s.47. 20-30V.c.109,s.88. 44-5V.c.58,s.186
Deductions from pay of soldier on board Her Majesty's ship, on sentence by or by award of commanding officer of ship . . . . .	{	" s.138 9Edw.7,c.3,s.4,Sch.2.
Formation of "corps" out of associated battalions of regulars and auxiliaries, with or without permanent staff of aux- iliaries . . . . .	{	44-5V.c.58,s.190(15,16).
Indian law. See INDIAN MILITARY AND NAVAL FORCES, III, 3 (c).		

## 5. Billetting and Impressment of Carriages, Animals, etc.

## (a) BILLETTING.

## (b) IMPRESSMENT OF CARRIAGES, ANIMALS, ETC.

## See MARCHING TROOPS.

## 6. Pay, Pension, Booty and Prize Money, Decorations, and Effects.

## (a) PAY AND PENSION.

## (1) Ordinary Pay.

Payment without other than authorized deductions . . . . .	{	44-5V.c.58,s.136. 58-9V.c.7,s.4.
Deductions from pay of officer . . . . .	{	44-5V.c.58,ss.44(12), 137,140. 4Edw.7,c.4,s.7. 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.

ARMY—*contd.*6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*(a) PAY AND PENSION—*contd.*(1) *Ordinary Pay*—*contd.*

Deductions from pay of soldier . . . . .	{	44-5V.c.58,ss.41(12), 46(2)(c), 73,138,140,145. 46-7V.c.6,s.7. 54-5V.c.5,s.4. 62-3V.c.3,ss.4,5 6Edw.7,c.2,ss.4(5),8. 7Edw.7,c.2,ss.10(6),9, Sch.3. 9Edw.7,c.3,s.4,Sch.2. 45-6V.c.7,s.4(3)
Correction of error in s. 138 of Act of 1881 . . . . .		44-5V.c.58,s.139.
Remission of deductions . . . . .	{	9Edw.7,c.3,s.4,Sch.2.
No execution against pay of soldier for debt . . . . .		44-5V.c.58,s.148.

(2) *Deferred Pay, Good Conduct Pay, Service towards Pension, etc.*

Forfeiture of, on conviction by court-martial, as provided by } Royal warrant . . . . .	{	44-5V.c.58,ss.44(11) 190(19)
Prohibition of assignment of or charge on deferred pay or mili- } tary reward . . . . .	{	„ s.141

(3) *Half-Pay, Retired Pay, Pensions and Allowances.*

Prohibition of assignment of or charge on pension, allowance, } etc., payable in respect of military service . . . . .	{	„ s.141.
Penalty on detention of pensioners' certificates . . . . .		54-5V.c.5,s.9.
Half-pay or allowances not affected by Superannuation Acts . . . . .		4-5W.4,c.24,s.21
Separate estimates of half-pay and allowances . . . . .		„ s.25
Pensions of soldiers formerly in Indian forces . . . . .		44-5V.c.57,s.53.

(4) *Supplemental Provisions.*

Administration of oaths on receipt of military rewards, } pensions and allowances . . . . .	{	44-5V.c.58,s.142. 9Edw.7,c.3,s.4,Sch.2.
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## (b) OFFENCES IN RELATION TO PAY, ETC.

Military punishment for detaining pay . . . . .	{	44-5V.c.58,ss.37(2),137. 9Edw.7,c.3,s.4,Sch.2.
False oath or declaration, or personation, as to military reward, } pension or allowance, or payment of money or delivery of } property in possession of military authorities . . . . .	{	44-5V.c.58,s.142. 9Edw.7,c.3,s.4,Sch.2.

## (c) BOOTY OF WAR AND PRIZE MONEY

Right of troops to such interest in booty as Her Majesty shall } order . . . . .	{	2-3W.4,c.53,s.2.
Adjudication by prize courts as to prize taken in conjunct ex- } peditions of land and naval forces . . . . .	{	„ s.29 27-8V.c.25,ss.34,35
Payment to Chelsea Hospital, for distribution— of grants for services in India, distributable elsewhere to } persons not belonging to Indian forces . . . . .	{	29-30V.c.47,s.1to4
of share of army in prize taken in conjunct expedition . . . . .		2-3W.4,c.53,s.29.
Payment of shares of non-commissioned officers and soldiers . . . . .		29-30V.c.47,s.5.

ARMY—*contd.*6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*(c) BOOTY OF WAR AND PRIZE MONEY—*contd.*

Payment and application of share of deceased officer, etc., if less than 100%, without representation; payment to representative, if any; power to require representation to be taken out.	29-30V.c.47,ss.6, 7.
Stamp-duty on orders; orders for less than 40s., and receipts, exempt from duty	" s.8.
Unclaimed shares of prize money belonging to Indian forces; payment of, to Secretary of State or Indian Government; application of; powers for recovery of	31-2V.c.38.

## (d) DECORATIONS.

Pawning, selling, wilfully injuring, etc.	44-5V.c.58,ss.24(3,4), 190(18).
Purchasing, etc.	" ss.153,190(18). 9Edw.7,c.3,s.4,Sch.2.
Forfeiture, etc., of, on conviction by court-martial, as provided by Royal warrant	44-5V.c.58,ss.44(17), (19),180.
Disposal of, on death on service, desertion, etc. See below; (e) (2).	

## (e) EFFECTS OF OFFICERS AND SOLDIERS.

## (1) Generally.

Execution against effects of soldier other than pay, equipment, etc.	44-5V.c.58,ss.144,145. 9Edw.7,c.3,s.4,Sch.2.
" " property of persons, subject to military law, other than soldier	44-5V.c.58,s.151. 51-2V.c.4,s.7.
Perjury, personation, etc., as to money or property in possession of military authorities. See above, (b).	

(2) Disposal of, under *Regimental Debts Act, 1893*.

Collection of effects of persons subject to military law	56-7V.c.5.s.1.
Preferential charges on property	" ss.2to6
Disposal of surplus and residue	" ss.7to10.
" medals and decorations	" s.11.
" effects, etc., without representation in certain cases	" ss.9,16.
" effects, not money	" s.12.
Restrictions on interposition of official administrator	" ss.14,30.
Money remitted not to be assets in place where remitted to	" s.15.
Exemption from duty where sum under 100l.	" s.16
Saving of rights of representative	" s.19.
Creditor not entitled to take out representation	" s.20.
Deposit in proper registry of original will or declaration of intestacy and inventory of application of property	" s.21.
Collection and disposal of effects of army paymaster	" s.22.
" " " person deserting, absent without leave, claimed as apprentice, or convicted of felony	" s.23.
" " " insane	" s.24.
Validity of payments, etc.; discharge of Secretary of State, etc.	" ss.17,18.
Warrants and regulations	" s.1.

ARMY—*contd.*6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*(e) EFFECTS OF OFFICERS AND SOLDIERS—*contd.*(2) *Disposal of, under Regimental Debts Act, 1893—contd.*

Application of Act to all persons subject to military law . . . . .	56-7V.c.5,s 30.
"    "    to India . . . . .	.. ss 25to28.
No forfeiture under Act or regulations, on conviction by court- martial, save as provided by Royal warrant . . . . .	44-5V.c.58,s 44(1). 57-8V.c.3,s 4.
<i>See also</i> INDIAN MILITARY AND NAVAL FORCES, I.	

## 7. Miscellaneous.

## (a) PRIVILEGES, EXEMPTIONS AND DISQUALIFICATIONS.

Exemption of soldiers from serving on juries . . . . .	44-5V.c.58,s 147.
"    officers and soldiers, prisoners under escort, etc., from tolls ( <i>see also</i> FERRY ; TOLLS) . . . . .	.. s 143(1,3).
"    soldiers from civil process, except for crime, etc., or debt exceeding 30l. ; proof of amount of debt ; proceedings . . . . .	.. ss 144,180. 45-6V.c.7,s 4(4).
Licenses of canteens ; grant, transfer and renewal of . . . . .	44-5V.c.58,s 174.

## (b) CIVIL DUTIES AND LIABILITIES, OFFENCES BY CIVILIANS.

Inducing to desert, concealing deserter, etc. . . . .	.. s 153.
Demanding, etc., tolls from soldiers, etc. . . . .	.. ss 115(5), 143(3). 9Edw.7,c.3,s 4,Sch 2.
Pretending to be a deserter . . . . .	44-5V.c.58,s 152.
Apprehension of and dealings with deserters, suspected desert- ers, or persons confessing desertion . . . . .	.. ss 154,163(1), (1),Sch.4. 47-8V.c.8,s 6. 9Edw.7,c.3,s 4,Sch 2.
Obligation of governors of prisons, keepers of police-stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody . . . . .	44-5V.c.58,s 131(1), 132.
Purchasing, etc., or soliciting or assisting soldier to sell, pawn, etc., to, or suspicious possession of, regimental necessities, equipments, stores, horse, etc. ; detaining certificates of mili- tary pensioners and members of army reserve, search-war- rants ; examination of defendant, and wife or husband, as wit- ness . . . . .	.. s 156. 54-5V.c.5,s 9. 4Edw.7,c.5,s 9. 9Edw.7,c.3,s 4,Sch.2.
False oath or declaration, forgery or personation, in relation to pay, pension, etc., or money or property in hands of military authorities . . . . .	44-5V.c.58,s 142.
Liability of soldier to maintain wife, children and bastards . . . . .	44-5V.c.58,s 138(8),145. 45-6V.c.7,s 4. 46-7V.c.6,s 7. 54-5V.c.5,s 7. 62-3V.c.3,s 4. 4Edw.7,c.5,s 8. 9Edw.7,c.3,s 4,Sch.2.
Saving of jurisdiction of Civil Courts over persons subject to mili- tary law . . . . .	44-5V.c.58,s 41(b),153 (1),162(2),180.
Refusing to deliver or obstructing apprehension of officer or soldier accused or convicted of civil offence ; trial of offences committed out of United Kingdom [ <i>see also above</i> , 4 (b)] . . . . .	.. ss 162(3to5),180. 9Edw.7,c.3,s 4,Sch.2.



7. Miscellaneous—*contd.*(b) CIVIL DUTIES AND LIABILITIES; OFFENCES BY CIVILIANS—*contd.*

Civil Court trying offender to have regard to military punishment already awarded . . . . .	} 44-5V.c.58,s.162(1).
" " regulations as to evidence before . . . . .	" s.163.
" " certificate of conviction or acquittal by . . . . .	58-9V.c.7,s.6.
Proof of proceedings of court-martial . . . . .	44-5V.c.58,s.164.
Prosecution of offences, and recovery and application of fines, under Army Act, in India, etc. . . . .	" s.165.
	" ss 166 to 168, 180, 190.
	9Edw.7,c.3,s.4,Sch.2.
Reduction of amount of fines in India or colony; declaration of equivalent in local currency . . . . .	{ 44-5V.c.58,ss.156(s),169, 190(21,23).
	4Edw.7,c.5,s.6(2).
	Act 19, 1899.
Protection of persons acting under Army Act; limitation of time for proceedings . . . . .	{ 44-5V.c.58,s.170.
	57-8V.c.3,s.7.
Trafficking in commissions. <i>See above</i> , 2.	
Wearing military uniform . . . . .	57-8V.c.45.

## (c) MISCELLANEOUS PROVISIONS

Military savings banks, no liability to forfeiture under Act or regulations, on conviction by court-martial, save as provided by Royal warrant . . . . .	{ 44-5V.c.58,s.44(11).
Marriages within lines of army abroad . . . . .	55-6V.c.23,s.22.
Transmission to Registrar General of registers of or documents showing births, deaths and marriages of officers, soldiers and their families abroad; record of entries and evidence . . . . .	{ 42-3V.c.8.
Use of recreation rooms for dancing or public entertainment without license . . . . .	{ 52-3V.c.3,s.7.
Short title of Army Act . . . . .	53-4V.c.4,s.4.
Army Council, transfer of various powers to . . . . .	9Edw.7,c.3,s.4,Sch.2.
<i>See also</i> INDIAN MILITARY AND NAVAL FORCES, III, 4	

## ARMY RESERVE

1881. 44-5 V. c. 58 (Army).	1900. 63-4 V. c. 42 (Reserve Forces).
1882. 45-6 V. c. 48 (Reserve Forces).	1906. 6 Edw. 7, c. 11 (Reserve Forces).
1890. 53-4 V. c. 42 (Reserve Forces).	1907. 7 Edw. 7, c. 9, Pt. III (Territorial and Reserve Forces).
1891. 54-5 V. c. 5, s. 5 (Transfer to Reserve)	1908. 8 Edw. 7, c. 2, ss. 4, 5 (Army Annual).
1898. 61-2 V. c. 9 (Permanent Service).	
1899. 62-3 V. c. 40 (Residence out of United Kingdom)	
Reserve Forces Acts; extension of, to British Possessions . . . . .	6Edw.7,c.11.
	45-6V.c.48,ss.6,14(2).
Army Act, 1881; application of provisions of . . . . .	{ 15,16,17(2),18,19, 23,25,27.
	7Edw.7,c.9,s.33.
	45-6V.c.48,s.3.
Establishment, constitution and liability to service of . . . . .	{ 63-4V.c.42,s.1.
	7Edw.7,c.9,ss.30,34.

ARMY RESERVE—*contd.*

Enlistment in British Possessions . . . . .	6Edw.7,c.11.
Enlistment in regulars . . . . .	44-5V.c.58,ss.77-9,87-90, 101(2).
„ of special reservist in regulars . . . . .	53-4V.c.42,s.1. 54-5V.c.5,s.5.
Enlistment and re-engagement ; procedure on, and term of service	7Edw.7,c.9,s.30(6).
Attestation of men enlisting . . . . .	45-6V.c.48,ss.4,14(1).
Residence of reserve men in British Possessions . . . . .	45-6V.c.48,s.18. 62-3V.c.40.
Annual training of . . . . .	6Edw.7,c.11.
Training of, with volunteers . . . . .	45-6V.c.48,s.11.
Exemption of, from service as constable, etc. . . . .	53-4V.c.42,s.2.
Exemption from tolls, etc., and privileges as to conveyance . . . . .	45-6V.c.48,s.7.
Pensions of reserve men . . . . .	45-6V.c.48,s.23.
Calling out of, in aid of civil power . . . . .	45-6V.c.48,s.22.
„ on permanent service . . . . .	45-6V.c.48,s.5. 45-6V.c.48,ss.12,13.
„ of special reservists . . . . .	44-5V.c.58,s.88(2). 61-2V.c.9.
Offences ; trial by court-martial or summary court and punishment for certain . . . . .	7Edw.7,c.9,s.32.
Court of inquiry in case of illegal absence of reserve men . . . . .	45-6V.c.48,ss.6,15-17,25,26.
Orders and regulations . . . . .	45-6V.c.48,s.19.
Application of military law to . . . . .	45-6V.c.48,s.20.
Exercise of powers vested in holders of military office . . . . .	6Edw.7,c.11,s.1(2).
Notices ; provisions as to . . . . .	45-6V.c.48,s.14(2).
Special reservists . . . . .	45-6V.c.48,s.21.
liability of, to training and service . . . . .	45-6V.c.48,s.24.
formation of, into battalions, etc. . . . .	7Edw.7,c.9,s.30.
Militia, transfer of, to army reserve . . . . .	7Edw.7,c.9,ss.30(2), (5),31,32.
ARMY JAGR ACT, 1909 . . . . .	7Edw.7,c.9,s.33.
Army Jagr included in schedule to Mad. Act, 2, 1904 . . . . .	7Edw.7,c.9,s.31.
ARREAR OF LAND-REVENUE.	Mad Act6,1909.
<i>See cross-references from COLLECTION OF LAND-REVENUE.</i>	
ARREST.	
General provisions as to . . . . .	<i>See CRIMINAL PROCEDURE (INDIAN),</i>
4, 5.	
In execution of decrees, before judgment . . . . .	<i>See CIVIL PROCEDURE</i>
2, 5	
ART.	
Copyright in paintings, drawings and photographs . . . . .	<i>See COPY-</i>
RIGHT, 3, 5 (a).	<i>RIGHT, 3, 5 (a).</i>
ARTICLES OF WAR (INDIAN)	
„ „ AMENDMENT ACT . . . . .	{ <i>See INDIAN MILI-</i>
(INDIAN). 1894. . . . .	{ <i>TARY AND NAVAL</i>
	{ <i>FORCES, III)</i>
ASSAM	[1]Act5,1869.
Is a Scheduled District . . . . .	[1]Act12,1894.
	{ Act14,1874,s.1,Sch.1, Pt.X.
	{ Act15,1874,s.2,Sch.VI, Pt.X.

ASSAM—*contd.*

- Territorial operation of enactments, not affected by constitution of Province of Eastern Bengal and Assam . . . . . } Act 7, 1905, s. 2.
- References in such enactments to 'Local Government,' 'Chief Controlling Revenue-authority,' 'Chief Revenue-authority,' certain functionaries, 'Chief Commissionership of Assam' and 'Gazette' to be construed to refer to 'Local Government,' 'Board of Revenue,' certain functionaries, 'province of Assam' and 'Gazette' in Eastern Bengal and Assam . . . . . } Act 7, 1905, s. 3, Sch. D, Pt. I.
- Operation of enactments in, and power to settle boundaries of, certain parts of frontier tracts and other districts. *See* FRONTIER, A, 1.
- See also* EASTERN BENGAL AND ASSAM.
- For further provisions enacted expressly for Assam, see the appropriate heads.*
- ASSAM FOREST REGULATION, 1891. (*See* FOREST) . . . . . Reg. 7, 1891.
- ASSAM FRONTIER TRACTS REGULATION, { 1880 } (*See* ) Reg. 2, 1880.  
DEREGULATION TRACTS; EUROPEAN BRITISH SUBJECT; FRONTIER) { 1894 } Reg. 3, 1884.
- ASSAM FRONTIER TRACTS REGULATION (1880) AMENDMENT REGULATION, 1898 . . . . . Reg. 2, 1898
- ASSAM LABOUR AND EMIGRATION ACT, 1901. (*See* CONTRACT; EMIGRATION, B) . . . . . Act 6, 1901.
- ASSAM LABOUR AND EMIGRATION (AMENDMENT) ACT, 1903 . . . . . Act 11, 1903.
- ASSAM LAND AND REVENUE REGULATION, { 1886. } (*See* ) Reg. 1, 1886.  
ARBITRATION; FISHERY; LAND (IND. LAW); LAND-REVENUE, V; TAXES) { 1889. } Reg. 2, 1889.
- ASSAM LAND AND REVENUE REGULATION (AMENDMENT) REGULATION, 1903 . . . . . Reg. 2, 1903.
- ASSAM LOCAL RATES REGULATION, 1879 (*See* LOCAL RATES AND CASSES, A) . . . . . Reg. 3, 1879.
- ASSAM MILITARY POLICE REGULATION, 1890. (*See* POLICE, IV) . . . . . Reg. 4, 1890.
- ASSAM POLICE-OFFICERS REGULATION, 1883. (*See* POLICE, I) . . . . . Reg. 2, 1883.
- ASSAULT. *See* CRIMINAL LAW (INDIAN), 14 (b).
- ASSESSMENT OF LAND-REVENUE.
- See* LAND-REVENUE, II, 2; III, 3 (b); IV, V, A, 3 (b); V, B, 3 (c); VI; VII, A, 3, 4; B, C, 3; VIII, 3; IX, 2; X, 2; XI, 3 (c); XII, 4; XIII, 3 (b); XIV; XV, 3; XVI, 3.
- ASSESSORS.
- In criminal trials. See* CRIMINAL PROCEDURE (INDIAN), 8 (6), 11, 12 (5).

ASSIGNMENT.

- Act 28, 1866, declared in force throughout British India, except }  
as regards the Scheduled Districts . . . . . } Act15,1874,s.3.  
" " applies only to cases to which English law is }  
applicable . . . . . } Act28,1866,s.45.  
Power to make assignment of moveable property, term for years }  
of immoveable property, or estate by *degit*, to self and others . } " s.30.

ASSISTANT COLLECTOR.

See LAND-REVENUE, III, 2; V, A, 2; VII, A, 2; VIII, 2; XIII, 2;  
XVI, 2.

ASSOCIATION. See SOCIETY, 4.

ASYLUM.

- For lepers. See LEPER.  
For lunatics. See LUNATIC, 4.

ATTACHED ESTATES MANAGEMENT REGULATION (BEN-  
GAL), 1827.[<sup>1</sup>] [See ADMINISTRATION OF ESTATES, 6 (a)]

Ben.Reg 5,1827.

ATTACHMENT.

- Power to attach estates, for reasons of State, without judicial }  
trial . . . . . } Ben.Reg.3,1818,s.9.  
Bom Reg 25,1827,s.7.  
Mad Reg.2,1819,s.9.  
Management of such estates . . . . . }  
Ben.Reg 3,1818,s.10.  
Bom Reg.25,1827,s.8.  
Mad.Reg 2,1819,s.10.  
Release of such estates from attachment . . . . . }  
Ben.Reg 3,1818,s.11.  
Bom.Reg.25,1827,s.9.  
Mad Reg 2,1819,s.11.  
Local extent of the above Regulations. See STATE PRISONER.  
In execution of decree in civil suit . . . . . }  
Act5,1908,ss.51,60to64,  
Sch.1,O 21,App.E.  
Forms8,9,16to26.  
Before judgment. See CIVIL PROCEDURE, 5.  
For recovery of land-revenue. See cross references from COLLEC-  
TION OF LAND-REVENUE.  
For recovery of rent. See DISTRAINT.  
Of illicit opium crop . . . . . Act1 1878,s.22.  
Of property of absconding offender . . . . . Act5,1898,ss.88,89.  
Of property being the subject of a dispute likely to cause a  
breach of the peace. See CRIMINAL PROCEDURE (Indian), 6(d).

ATTEMPTS TO COMMIT OFFENCES. See CRIMINAL LAW  
(INDIAN), 23

ATTENDANCE

- Of landholders and other persons before Revenue-authorities  
(Bengal and Eastern Bengal)—  
Power of Board of Revenue to require attendance of land- }  
holders, tenants and officers . . . . . } Ben Reg.2,1793,s 33 [<sup>2</sup>]  
Attendance before Collector of persons purchasing land at }  
public sale, and of other persons . . . . . } Ben.Reg.1,1801,s.10.  
" 12,1817,s.4.  
" 29,31,32.  
" 7,1822,s.19.  
" 9,1825,s.5(2).

[<sup>1</sup>] This short title was given by Act 5, 1827, s. 4.  
[<sup>2</sup>] Ben. Reg. 2, 1793, is also in force in the District of Sylhet in Assam.

ATTENDANCE—*contd.*

Of landholders and other persons before Revenue-authorities  
(Bengal and Eastern Bengal)—*contd.*

Fine for non-attendance . . . . . }

Ben.Reg.2,1793,s.33.

" 12,1817,s.32.

" 2,1819,s.13(3).

Act20,1848.

ATTORNEY. See SOLICITOR.

## BAIL

Excessive, not to be taken . . . . .

Act5,1898,s.498.

Provisions as to. See CRIMINAL PROCEDURE (INDIAN), 12 (2).

BAILABLE OFFENCE defined. See WORDS AND PHRASES.

BAILMENT. See CONTRACT, 5 (c).

BALUCHISTAN. See BRITISH BALUCHISTAN.

## BANK.

## 1 Presidency Banks.

Act 11, 1876, applies to Banks of Bengal, Bombay and Madras . . . . .

Act11,1876,s.3.

" " and Act 5, 1879, declared in force in Upper Burma }  
generally (except the Shan States) . . . . . }

Act13,1898,s.4,Sch.1.

Definitions . . . . .

Act11,1876,s.3.

Constitution and incorporation of . . . . .

" ss.4to7,22.

Government servant may be member of . . . . .

" s.66.

Seal of, how used . . . . .

" s.8.

Contracts by, how made . . . . .

" s.9.

Capital of . . . . .

" ss.10to16

Stock and shares of ; provisions as to . . . . .

" ss.12,17to23.

Directors of . . . . .

" ss.24to32,64

Officers of . . . . .

" ss.32to33.

What business may be transacted by . . . . .

" s.36,37.

Power to take over business of certain other banks . . . . .

" s.42A.

To act as Government bankers . . . . .

" ss.36(o),38,

39

Place of business, and branches . . . . .

" ss.40to42.

Accounts and dividends . . . . .

" ss.43,44.

" audit of . . . . .

" ss.47,48.

Reserve fund . . . . .

" s.45,46.

Meetings of proprietors and shareholders . . . . .

" ss.49to58.

Service of notices . . . . .

" ss.39to62.

By-laws ; power of directors to make . . . . .

" s.63.

Legal proceedings . . . . .

" ss.64,65.

Power to wind up, under Indian Companies Act, 1882 . . . . .

s. 67.

Confirmation of certain agreements between Government and }

Banks of Bengal and Madras . . . . . }

s 68.

## 2. Government Savings Banks.

Act 5, 1873, extends to whole of British India . . . . .

Act5,1873,s.1.

" " declared in force in— . . . . .

the Santhal Parganas . . . . .

Reg.3,1872,s.3,Sch.

the Arakan Hill District . . . . .

Reg.9,1874,s.3.

Upper Burma except the Shan States . . . . .

Act13,1898,s.4.

BANK—*contd.*2. Government Savings Banks—*contd.*

Definitions . . . . .	Act 5, 1873, s. 3.
Deposits in, belonging to estates of deceased persons :	
Power of Secretary to pay, to person appearing entitled, if probate, letters of administration or certificate of administration not produced within three months of death . . . . .	" s. 4.
Right of executor, administrator or creditor to follow such payments . . . . .	" s. 5.
Power of Secretary to take security from person to whom he makes payment . . . . .	" s. 6.
Power of Secretary to administer oath to such person . . . . .	" s. 7.
Such deposits when excluded in computing court-fees . . . . .	" s. 8.
Foregoing sections not to apply to deposits belonging to estates of European soldiers or deserters from army . . . . .	" s. 9.
Deposits in, belonging to minors : to whom payable . . . . .	" s. 10.
Deposits in, belonging to lunatics : to whom payable . . . . .	" s. 12.
Deposits in, made by married woman : may be paid to her . . . . .	" s. 13.
Power of Governor General in Council to make rules for working of Act . . . . .	" s. 14.

## 3. Military Savings Banks.

See ARMY, 7 (e)

BANK OF ENGLAND ACT, 1861, [1] (See FINANCE) . . . . .	24-5V. c 3.
BANKERS' BOOKS EVIDENCE ACT { 1891 } (See EVIDENCE, { Act 18, 1891. 1893 } II, 6.) Act 1, 1893. 1900 } Act 12, 1900.	
BANKI LAWS ACT, 1891 (See BANKI) . . . . .	Act 25, 1891.
BANKI.	
Laws in force in Cuttack District to apply to . . . . .	Act 25, 1881, s. 1.
No longer a Scheduled District . . . . .	" s. 4.
BANKRUPTCY ACT, 1883 (Ss 118, 119, see INSOLVENCY, A, 1, 4, B, 1) . . . . .	16-7V c 52.
BAPTISMS. See REGISTRATION OF BIRTHS, ETC, A, 4.	
BARRISTER. See ADVOCATE	
BATHING AND WASHING PLACES	
Regulation of, in municipalities :	
See under MUNICIPALITY ( <i>sub-headings</i> "The Public Health, Safety and Convenience")	
See also BRITISH BALUCHISTAN, II, 6 (e)	
BAZAR.	
See BRITISH BALUCHISTAN, II	
See also STREETS, THOROUGHFARES AND PUBLIC PLACES.	
BEERDHOOM.	
Ghatwahi Mahals. See LANDLORD AND TENANT, III, B, LAND-REVENUE, III, 5.	

[1] This short title was given by 33 &amp; 34 Vict c 14

## BEGGARS.

Refuge for certain classes of convicted beggars; detention in  
refuge in lieu of imprisonment . . . . .

(Cal.) Ben. Act 4, 1866,  
s. 70A (ins. Ben. Act  
3, 1910, ss 18, 20).  
(Cal. Sub.) Ben. Act 2, 1866,  
s. 40A (ins Ben. Act 3, 1910,  
s. 19).

See also MUNICIPALITY; STREETS, THOROUGHFARES AND PUBLIC  
PLACES.

BENARES FAMILY DOMAINS ACT, 1881 . . . . . } (See  
" " " REGULATION, 1795 } BENA-  
" " " " 1828 } RES).  
" " " Act 1904 (See BENARES: LAND-  
REVENUE, I) . . . . . }  
BENARES INHERITANCE REGULATION, 1795. (See Suc-  
cession) . . . . . }  
BENARES PERMANENT SETTLEMENT REGULATION,  
1794. } (See PERMANENT SETTLEMENT) . . . . . }  
1795. }

Act 14, 1881.  
Ben. Reg 15, 1795  
Ben. Reg. 7, 1828.  
U.P. Act 3, 1904.  
Ben. Reg. 44, 1795.  
Ben. Reg. 1, 1795.  
Ben. Reg. 27, 1795.

## BENARES.

## 1. Family Domains of the Maharaja of Benares.

No longer a Scheduled District . . . . .	Act 14, 1881, ss 14, 15.
Courts receiving complaints in matters relating to land-revenue to refer parties to Maharaja, intervention of Collector . . . }	Ben. Reg 15, 1795, s. 3.
Administration of justice in all matters connected with the revenue to continue to be conducted through the agency of the Maharaja . . . . . }	Ben. Reg. 7, 1828, s. 4.
Definition of "Board of Revenue" and "Regulations" . . . . .	" s. 25
Superintendence of, vested in Commissioner of Benares . . . }	" s. 3.
Appointment and powers of Deputy Superintendent . . . }	" s. 5.
Settlement and assessment of land-revenue . . . . .	" s. 6.
Right to transfer land; notice to be given to Maharaja . . . }	" s. 7.
Revision of Maharaja's decisions by Superintendent; appeal to, and revision by, Board of Revenue . . . . . }	" ss. 8 to 13.
Realization of public revenue; application of general law of the North-Western Provinces . . . . . }	" s. 15
Prohibition of torture, etc., to enforce arrears of revenue or rent Procedure for sale of land; application of general law of the North-Western Provinces . . . . . }	" ss. 11 to 13
Cognizance of complaints against Maharaja or his officers for breach of Regulations . . . . . }	" s. 14.
Native Commissioners for taking cognizance of revenue cases; appointment, powers, etc., of . . . . . }	" ss. 16 to 22.
Power of Local Government to make rules as to powers, etc., of Native Commissioners, and as to administration of the Family Domains . . . . . }	" s. 22.
Partial application of Code of Civil Procedure . . . . . }	" s. 23.
Reference to Board of Revenue in case of doubt as to Judge's jurisdiction . . . . . }	" ss. 9, 11, 24.
Operation in the Family Domains of general enactments in force in the North-Western Provinces . . . . . }	Act 14, 1881, s. 13.
Validation of past orders, etc. . . . .	

BENARES—*contd.*

1. Family Domains of the Maharaja of Benares—*contd.*

[1] Acts 3, 1878; 14, 1883, not to apply to the Family Domains . . . . .	P. Act 3, 1904, s. 13,
Assessment, recovery and disposal of certain rates on land in the Family Domains . . . . .	„ ss. 4 to 9, 12 to 14.
Family Domains Local Rates Fund; rates realized to be credited to; administration of . . . . .	„ ss. 10, 11.

2. Miscellaneous.

Permanent settlement of land-revenue. *See* PERMANENT SETTLEMENT, 3.

Wills of Natives. *See* SUCCESSION, 8 (c).

BENGAL.

Transfer of certain districts to Eastern Bengal and Assam not to affect territorial operation of laws . . . . .	Act 7, 1935, s. 2.
BENGAL ALLUVION AND DILUVION ACT, 1847. ( <i>See</i> ALLUVION AND DILUVION; LAND-REVENUE, III, V; SURVEY OF LAND). . . . .	Act 9, 1847.
BENGAL ALLUVIAL LAND SETTLEMENT ACT, 1858. ( <i>See</i> LAND-REVENUE, III, V) . . . . .	Act 31, 1858.
BENGAL ALLUVION AND DILUVION REGULATION, 1825. ( <i>See</i> ALLUVION AND DILUVION) . . . . .	Ben. Reg. 11, 1825.
BENGAL ALLUVION (AMENDMENT) ACT, 1868. ( <i>See</i> ALLU- VION AND DILUVION). . . . .	Ben. Act 4, 1868.
BENGAL ATTACHED ESTATES MANAGEMENT REGULA- TION, 1827. <i>See</i> ADMINISTRATION OF ESTATES (IND. LAW); DEBT . . . . .	Ben. Reg. 5, 1827.
BENGAL BIRTHS AND DEATHS REGISTRATION ACT; } 1873. ( <i>See</i> REGISTRATION OF BIRTHS, ETC.) . . . . }	Ben. Act 4, 1873.
BENGAL BOARD OF REVENUE ACT, 1850. ( <i>See</i> BOARD OF REVENUE; LAND-REVENUE, III, V) . . . . .	Act 44, 1850.
BENGAL BOARD OF REVENUE REGULATION, 1822 ( <i>See</i> LAND-REVENUE, III, V) . . . . .	Ben. Reg. 3, 1822.
BENGAL CESS (AMENDMENT) ACT, { 1881 (No. 1) . . . . { 1881 (No. 2) . . . . { 1910 . . . . .	Act 7, 1881. Ben. Act 2, 1881. Ben. Act 4, 1910.
BENGAL CHARITABLE ENDOWMENTS, PUBLIC BUILD- INGS AND ESCHEATS REGULATION, 1810. ( <i>See</i> EN- DOWMENT; ESCHEAT) . . . . .	Ben. Reg. 19, 1810
BENGAL CHAUKIDARI ACT, 1856 ( <i>See</i> CRIMINAL PROCES- SURE (IND.) 6 (f), NUISANCE, POLICE, II) . . . . .	Act 20, 1856.
BENGAL CHAUKIDARI (AMENDMENT) ACT, 1871 . . . . .	Act 22, 1871.
BENGAL CIVIL COURT AMINS ACT, 1899 ( <i>See</i> CIVIL COURT, III) . . . . .	Ben. Act 2, 1899.
BENGAL CORRUPTION AND EXTORTION REGULATION, } 1827. ( <i>See</i> PUBLIC OFFICER) . . . . .	Ben. Reg. 3, 1827.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1881 . . . . .	Ben. Act 3, 1881.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1906 . . . . .	Ben. Act 1, 1906.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1909 . . . . .	Ben. Act 2, 1909.



BENGAL CRUELTY TO ANIMALS ACT, 1869. (See CRUELTY TO ANIMALS, 2) . . . . .	Ben. Act1, 1869.
BENGAL CRUELTY TO ANIMALS (ARREST) ACT, 1869. (See CRUELTY TO ANIMALS, 2) . . . . .	Ben. Act3, 1869.
BENGAL CRUELTY TO ANIMALS ACT, 1900 . . . . .	Ben Act3, 1900.
BENGAL DECENNIAL SETTLEMENT REGULATION, 1793. (See COURT; LANDLORD AND TENANT, II, III; LAND-REVENUE, III, V; PARTITION AND UNION, ETC.) . . . . .	Ben. Reg. 8, 1793.
BENGAL DISORDERLY HOUSES' ACT, 1906. (See BROTHEL AND DISORDERLY HOUSE; DISORDERLY HOUSE) . . . . .	Ben. Act3, 1906.
BENGAL DISTRICTS ACT, 1836. (See LAND-REVENUE, III, V) . . . . .	Act21, 1836.
BENGAL DISTRICTS ACT, 1864 (See LAND-REVENUE, III, V) . . . . .	Ben. Act4, 1864.
BENGAL DRAINAGE ACT, 1890. (See DRAINAGE, I) . . . . .	Ben. Act6, 1890.
BENGAL DRAINAGE (AMENDMENT) ACT, 1902 (See DRAINAGE, I) . . . . .	Ben. Act2, 1902.
BENGAL EASTERN FRONTIER REGULATION, 1873 (See FRONTIER) . . . . .	Reg 5, 1873.
BENGAL EMBANKMENT ACT, 1855. (See ARBITRATION; EMBANKMENT, I, A) . . . . .	Act32, 1855
BENGAL EMBANKMENT ACT, 1866. (See EMBANKMENT, I, A) . . . . .	Ben Act7, 1866
BENGAL EMBANKMENT ACT, 1873. (See EMBANKMENT, I, B) . . . . .	Ben. Act6, 1873.
BENGAL EMBANKMENT ACT, 1882. (See CANAL; DRAINAGE, I; EMBANKMENT, I; IRRIGATION, III). . . . .	Ben. Act2, 1882.
BENGAL EXCISE ACT, 1909. (See CANTONMENT, CRIMINAL PROCEDURE (IND.); CUSTOMS (INLAND); CUSTOMS (SEA), EXCISE; POLICE, I) . . . . .	Ben. Act5, 1909.
BENGAL FERRIES ACT, 1885. (See FERRY; LOCAL SELF-GOVERNMENT, III) . . . . .	Ben Act1, 1885.
BENGAL FOREIGN IMMIGRANTS REGULATION, 1812. (See FOREIGNER) . . . . .	Ben. Reg. 11, 1812.
BENGAL GENERAL CLAUSES ACT, 1899. (See ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . .	Ben. Act1, 1899.
BENGAL GHATWALI LANDS ACT, 1859. (See LANDLORD AND TENANT, III) . . . . .	Act5, 1859.
BENGAL GHATWALI LANDS REGULATION, 1814. (See LANDLORD AND TENANT, III; LAND-REVENUE, III) . . . . .	Ben. Reg 29, 1814.
BENGAL GOVERNMENT INDEMNITY REGULATION, 1822. (See COURT; LAND-REVENUE, III, V) . . . . .	Ben. Reg. 11, 1822.
BENGAL INDIGO-CONTRACTS ACT, 1836 (See INDIGO) . . . . .	Act10, 1836.
BENGAL INDIGO-CONTRACTS REGULATION, 1823 (See INDIGO) . . . . .	Ben. Reg. 6, 1823.
BENGAL INDIGO CONTRACTS REGULATION, 1830. (See INDIGO) . . . . .	Ben Reg. 5, 1830.
BENGAL INHERITANCE REGULATION, 1793. (See SUCCESSION) . . . . .	Ben. Reg 11, 1793.
BENGAL INHERITANCE REGULATION, 1900. See SUCCESSION) . . . . .	Ben Reg. 10, 1900.

BENGAL IRRIGATION ACT, 1876. (See DRAINAGE, I; IRRIGATION, III)	Ben. Act 3, 1876.
BENGAL KANUNGOS REGULATION, 1816. (See LAND-REVENUE, III, V; PATWARIS AND KANUNGOS)	Ben. Reg. 5, 1816.
BENGAL KANUNGOS AND PATWARIS REGULATION, 1819. (See LAND-REVENUE, III, V; PATWARIS AND KANUNGOS)	Ben. Reg. 1, 1819.
BENGAL LAND (CONDITIONAL SALES) REGULATION, 1798. (See MORTGAGE)	Ben. Reg. 1, 1798.
BENGAL LAND (REDEMPTION AND FORECLOSURE) REGULATION, 1806. (See MORTGAGE)	Ben. Reg. 17, 1806.
BENGAL LAND REGISTRATION (AMENDMENT) ACT, 1878.	Ben. Act 5, 1878.
BENGAL LAND REGISTRATION (AMENDMENT) ACT, 1906	Ben. Act 2, 1906.
BENGAL LANDHOLDERS' ATTENDANCE ACT, 1848. (See ATTENDANCE)	Act 20, 1848.
BENGAL LAND-REVENUE SALES ACT, 1841. (See LAND-REVENUE, III, V)	Act 12, 1841.
BENGAL LAND-REVENUE SALES ACT, 1850. (See LAND-REVENUE, III, V; REGISTRATION OF LAND)	Act 11, 1850.
BENGAL LAND-REVENUE REGULATION, 1793. (See ATTENDANCE, LAND-REVENUE, III, V)	Ben. Reg. 2, 1793.
BENGAL LAND-REVENUE ASSESSMENT REGULATION, 1801. (See ATTENDANCE, LAND-REVENUE, III, V, PERMANENT SETTLEMENT)	Ben. Reg. 1, 1801.
BENGAL LAND-REVENUE SALES REGULATION, 1812 (See LANDLORD AND TENANT, III; LAND-REVENUE, III, V)	Ben. Reg. 5, 1812.
BENGAL LAND-REVENUE ASSESSMENT (RESUMED LANDS) REGULATION, 1819. (See ATTENDANCE, LAND-REVENUE, III, V)	Ben. Reg. 2, 1819.
BENGAL LAND-REVENUE (ASSISTANT COLLECTORS) REGULATION, 1821. (See CIVIL COURT, II; LAND-REVENUE, III, V)	Ben. Reg. 4, 1821.
BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1822. (See ARBITRATION, ATTENDANCE, LAND-REVENUE, III, V, PARTITION AND UNION, ETC.)	Ben. Reg. 7, 1822.
BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1825. (See ATTENDANCE; LAND-REVENUE, III, V; WITNESS)	Ben. Reg. 9, 1825.
BENGAL LAND-REVENUE SETTLEMENT (RESUMED KANUNGOS AND REVENUE-FREE LANDS) REGULATION, 1825. (See LAND-REVENUE, III, V; PATWARIS AND KANUNGOS)	Ben. Reg. 13, 1825.
BENGAL LAND-REVENUE ASSESSMENT (RESUMED LANDS) REGULATION, 1828. (See LAND-REVENUE, III, V, SUNDERBANS)	Ben. Reg. 3, 1828.
BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1828. (See LAND-REVENUE, III, V)	Ben. Reg. 4, 1828.
BENGAL LAND-REVENUE (SETTLEMENT AND DEPUTY COLLECTORS) REGULATION, 1833. (See ARBITRATION; LAND-REVENUE, III, V, XVI)	Ben. Reg. 9, 1833.
BENGAL LAND-REVENUE SALES (AMENDMENT) ACT, 1862. (See LAND-REVENUE, III, V; REGISTRATION OF LAND)	Ben. Act 3, 1862.

BENGAL LAND-REVENUE RESUMPTION ACT, 1862. (See LAND-REVENUE, III, V)	Ben. Act 7, 1862..
BENGAL LAND-REVENUE SETTLEMENT ACT, 1868. (See LAND-REVENUE, III, V)	Ben. Act 3, 1868.
BENGAL LAND-REVENUE SALES ACT, 1868. (See LAND-REVENUE, III, V)	Ben. Act 7, 1868..
BENGAL LAND-REVENUE SALES (AMENDMENT) ACT, 1871	Ben. Act 2, 1871.
BENGAL LEASES AND LAND-REVENUE REGULATION, 1812. (See LANDLORD AND TENANT, III B; LAND-REVENUE, III; PARTITION AND UNION, ETC.)	Ben. Reg. 18, 1812.
BENGAL LEGISLATIVE COUNCIL (WITNESSES) ACT, 1866. (See GOVERNMENT OF INDIA)	Ben. Act 3, 1866.
BENGAL LOCAL SELF-GOVERNMENT ACT, 1885. (See ANIMAL; CANTONMENT; GOVERNMENT OF INDIA, LOCAL RATES AND CESSSES; LOCAL SELF-GOVERNMENT, III, MUNICIPALITY, VI; VACCINATION)	Ben. Act 3, 1885.
BENGAL LOCAL SELF-GOVERNMENT (AMENDMENT) ACT, 1908	Ben. Act 5, 1908.
BENGAL MILITARY POLICE ACT, 1892 (See POLICE, IV)	Act 5, 1892.
BENGAL MOTOR CAR AND CYCLE ACT, 1903. (See MOTOR CARS AND CYCLES)	Ben. Act 3, 1903.
BENGAL MUHAMMADAN MARRIAGES AND DIVORCES REGISTRATION ACT 1876. (See REGISTRATION OF BIRTHS, ETC.)	Ben. Act 1, 1876.
BENGAL MUNICIPAL (SLAUGHTER-HOUSES AND MEAT MARKETS) ACT, 1865. (See MUNICIPALITY, VI)	Ben. Act 7, 1865.
BENGAL MUNICIPAL ACT, 1876. (See CANTONMENT; MUNICIPALITY, IV; POLICE, II)	Ben. Act 5, 1876.
BENGAL MUNICIPAL ACT, 1884. (See CANAL, CANTONMENT; LOCAL SELF-GOVERNMENT, III; MUNICIPALITY, VI; POLICE, II; SURVEY OF LAND)	Ben. Act 3, 1884.
BENGAL MUNICIPAL (AMENDMENT) ACT, 1886	Ben. Act 3, 1886..
BENGAL MUNICIPAL (AMENDMENT) ACT, 1894	Ben. Act 4, 1894.
BENGAL MUNICIPAL (AMENDMENT) ACT, 1896	Ben. Act 2, 1896.
BENGAL MUNICIPAL (AMENDMENT AND VALIDATION) ACT, 1910. (See MUNICIPALITY, VI)	Ben. Act 2, 1910.
BENGAL NATIVE REVENUE-OFFICERS REGULATION, 1794. (See LAND-REVENUE, III, V; PUBLIC OFFICER)	Ben. Reg. 3, 1794.
BENGAL PATNI TALUQS REGULATION, 1819. (See LANDLORD AND TENANT, III, IV)	Ben. Reg. 8, 1819..
BENGAL PATNI TALUQS REGULATION, 1820. (See LANDLORD AND TENANT, III, IV)	Ben. Reg. 1, 1820..
BENGAL PATWARIS REGULATION, 1817. [See ATTENDANCE; CRIMINAL LAW (IND.); LANDLORD AND TENANT, III, IV; PATWARIS AND KANUNGOS]	Ben. Reg. 12, 1817.
BENGAL PERMANENT SETTLEMENT REGULATION, 1793. (See PERMANENT SETTLEMENT)	Ben. Reg. 1, 1793.
BENGAL POLICE REGULATION, 1817. [See CRIMINAL PROCEDURE (IND.); OPIUM; POLICE, II]	Ben. Reg. 20, 1817.
BENGAL POLICE ACT, 1839. (See POLICE, I).	Ben. Act 7, 1869..

BENGAL PORTS ACT, 1867 (See MUNICIPALITY, VI, VII; PORTS)	Ben.Act3,1867.
BENGAL PREVENTION OF INOCULATION ACT, 1865. (See VACCINATION)	Ben.Act4,1865.
BENGAL PUBLIC DEMANDS RECOVERY (AMENDMENT) ACT, 1897	Ben.Act1,1897.
BENGAL POLICE GAMBLING ACT, 1867. (See GAMING)	Ben.Act2,1867.
BENGAL PUBLIC PARKS ACT, 1904. (See HACKNEY CARRIAGE; MOTOR CARS AND CYCLES; PALANQUIN; PUBLIC PARK)	Ben.Act2,1904.
BENGAL RAIN GAMBLING ACT, 1867. (See GAMING; RAIN GAMBLING)	Ben.Act3,1897.
BENGAL RENT ACT, 1859. (See LANDLORD AND TENANT, III)	Act10,1859.
BENGAL RENT ACT, 1862. (See LANDLORD AND TENANT, III)	Ben.Act6,1862.
BENGAL RENT (APPEALS) ACT, 1867. (See LANDLORD AND TENANT, III)	Ben.Act4,1867.
BENGAL RENT RECOVERY (UNDER-TENURES) ACT, 1865. (See LANDLORD AND TENANT, III, IV)	Ben.Act8,1865.
BENGAL RENT SETTLEMENT ACT, 1879. (See LANDLORD AND TENANT, III)	Ben.Act8,1879.
BENGAL REVENUE COMMISSIONERS REGULATION, 1829. (See LAND-REVENUE, III, V)	Ben.Reg.1,1829.
BENGAL REVENUE-FREE LANDS (NON-BADSHAHI GRANTS) REGULATION, 1793. (See LAND-REVENUE, III, V)	Ben.Reg.19,1793.
BENGAL REVENUE-FREE LANDS (BADSHAHI GRANTS) REGULATION, 1793. (See LAND-REVENUE, III, V)	Ben.Reg.37,1793.
BENGAL REVENUE-FREE LANDS REGULATION, 1800. (See LAND-REVENUE, III, V)	Ben.Reg.8,1800.
BENGAL REVENUE-FREE LANDS REGULATION, 1825. (See LAND-REVENUE, III, V)	Ben.Reg.14,1825.
BENGAL SALT ACT, 1873. (See SALT)	Ben.Act1,1873.
BENGAL SANITARY DRAINAGE ACT, 1895. (See DRAINAGE, I)	Ben.Act8,1895.
BENGAL SATT REGULATION, 1829. (See HINDU WIDOW)	Ben.Reg.17,1829.
BENGAL SETTLED ESTATES ACT, 1904. (See LAND-REVENUE, III, V; SETTLED ESTATE)	Ben.Act3,1904.
BENGAL SMOKE NUISANCES ACT, 1905 (See CANTONMENT, SMOKE)	Ben.Act3,1905.
BENGAL STATE OFFENCES REGULATION, 1804. (See STATE OFFENCES)	Ben.Reg.10,1804.
BENGAL STATE PRISONERS REGULATION, 1818. (See ATTACHMENT; STATE PRISONER)	Ben.Reg.3,1818.
BENGAL STEAM-BOILERS AND PRIME-MOVERS ACT, 1870. (See STEAM-BOILERS AND PRIME-MOVERS)	Ben.Act3,1870.
BENGAL SURVEY ACT, 1875. (See SURVEY OF LAND)	Ben.Act5,1875.
BENGAL TENANCY ACT, 1885. (See CANTONMENT, COURT OF WARDS, B, LANDLORD AND TENANT, III, IV, LOCAL AUTHORITY, MUNICIPALITY, VI, PUBLIC DEMANDS, III, RAILWAY)	Act5,1885.

BENGAL TENANCY (AMENDMENT) ACT, 1836 . . .	Act8,1836 <sup>1</sup>
BENGAL TENANCY (AMENDMENT) ACT, 1898. (See LAND- LORD AND TENANT, III, IV) . . . }	Ben.Act3,1898.
BENGAL TENANCY (VALIDATION AND AMENDMENT) ACT, 1903. (See LANDLORD AND TENANT, III, IV) . . . }	Ben.Act1,1903.
BENGAL TENANCY (AMENDMENT) ACT, 1907 . . .	Ben.Act1,1907.
BENGAL TRAMWAYS ACT, 1833. (See TRAMWAY) . . .	Ben.Act3,1833.
BENGAL TRAMWAYS (AMENDMENT) ACT, 1904 . . .	Ben.Act1,1904.
BENGAL TROOPS TRANSPORT AND TRAVELLERS ASSISTANCE REGULATION, 1806. (See MARCHING TROOPS; TRAVELLER) . . . }	Ben Reg.11,1806.
BENGAL TROOPS TRANSPORT REGULATION, 1825. (See MARCHING TROOPS) . . . }	Ben.Reg.6,1825.
BENGAL VACCINATION ACT, 1880. (See VACCINATION) . . .	Ben Act5,1880.
BENGAL VACCINATION (AMENDMENT) ACT, 1887. (See VACCINATION) . . . }	Ben.Act2,1887.
BENGAL VACCINATION (AMENDMENT) ACT, 1890. (See VACCINATION) . . . }	Ben Act2,1890.
BENGAL VILLAGE-CHAUKIDARI ACT, 1871. (See POLICE, II, III) . . . }	Ben.Act1,1871.
BENGAL VILLAGE-CHAUKIDARI (AMENDMENT) ACT, 1886 . . . }	Ben Act1,1886.
BENGAL VILLAGE-CHAUKIDARI (AMENDMENT) ACT, 1892 . . . }	Ben.Act1,1892.
BENGAL WILLS AND INTESTACY REGULATION, 1799. [See ADMINISTRATION OF ESTATES (IND. LAW); COURT OF WARDS, B; UNCLAIMED PROPERTY] . . . }	Ben.Reg.5,1799.
BENGAL, AGRA AND ASSAM CIVIL COURTS ACT, 1887. (See ADMINISTRATION OF ESTATES (IND. LAW); CIVIL COURTS, III; SEAL) . . . }	Act12,1887.
BENGAL AND ASSAM LAWS ACT, 1905. (See ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ASSAM; BENGAL; BOARD OF REVENUE; CHITTAGONG HILL TRACTS; EASTERN BENGAL AND ASSAM; GAZETTE; HIGH COURT; LAND-REVE- NUE, V; SAMBALPUR) . . . }	Act7,1905.
BHAGDARI AND NARWADARI TENURES. (See LANDLORD AND TENANT, V, 3) . . . }	Bom.Act5,1862.
BHAGDARI AND NARWADARI TENURES ACT, 1910 . . .	Bom.Act2,1910.
BHAVNAGAR ACT, 1876. (See BHAVNAGAR) . . .	Act20,1876.
BHAVNAGAR. Validation of cession of certain villages to . . .	Act20,1876 s.2, Sch.
Act 20, 1876, not to affect jurisdiction of British Courts over persons resident or being beyond British India . . . }	" s.4.
BHUINHARI TENURES IN CHOTA NAGPUR. See LAND- LORD AND TENANT, III, B	
BHUM. See SHIFTING CULTIVATION.	
BIGAMY. Penalty for . . . . . }	Act45,1860,ss.494,495. Act15,1865,ss.4,5,9. Act3,1872,s.16.
BIKRAMA SINGH'S ESTATES ACT, 1883 . . . . .	Act10,1883.

BILL OF EXCHANGE. See NEGOTIABLE INSTRUMENT.

BILL OF LADING.

Act 9, 1856, declared in force throughout British India, except as regards the Scheduled Districts . . . . .	Act 15, 1874, s. 3.
Rights under, to vest in consignee or endorsee; savings . . . . .	Act 9, 1856, ss. 1, 2.
In hands of consignee or endorsee for valuable consideration; conclusive evidence of shipment as against master, etc. . . . .	" s. 9.

BIRD. See GAME.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886 (See REGISTRATION OF BIRTHS, ETC.). . . . . Act 6, 1886.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT (AMENDMENT) ACT, 1890 . . . . . Act 16, 1890.

BISHOPS ACT (INDIAN), 1842<sup>[1]</sup> . . . . . 5-6V.c.119.

" " " 1871<sup>[1]</sup> . . . . . 34-5V.c.62.

BISHOPS AND COURTS ACT (INDIAN), 1823.<sup>[1]</sup> (See BISHOPS; HIGH COURT) . . . . . 4G.4.c.71.

BISHOPS AND CLERGY.

1812-3. 53 G. 3, c. 155, ss. 49 to 53 (Bishops and Archdeacons).	1842. 5-6 V. c. 119 (Bishops).
1819. 59 G. 3, c. 60 (Ordination for Colonies)	1852. 15-6 V. c. 52 (Bishops).
1823. 4 G. 4, c. 71, ss. 3 to 6 (Bishops and Archdeacons).	1852-3. 16-7 V. c. 49 (Bishops).
1825. 6 G. 4, c. 85, ss. 5, 15 (Salaries, etc.).	1871. 34-5 V. c. 62 (Bishops).
1833. 3-4 W. 4 c. 85, ss. 89, 90, 92 to 94, 96 to 102 (Bishops and Clergy).	1874. 37-8 V. c. 77 (Bishops and Clergy).
	1880. 43 V. c. 3 (Salaries).

Appointment, salaries, pensions, allowances, etc., of Bishop of Calcutta and three Archdeacons . . . . .	{	53G 3,c.155,ss.49,50,53.
		4G 4,c.71,ss.3to5
		6G 4,c.85,ss.5,15.
		3-4W 4,c.85,ss.93,99, 101.
Power to constitute bishoprics of Madras and Bombay, and salaries, pensions, allowances, jurisdiction, etc., of Bishops and Archdeacons . . . . .	{	5-6V.c.119.
		43V.c.3.
		3-4W 4,c.85,ss.89,90, 92to94,96to101.
		5-6V.c.119.
Bishop of Calcutta to be metropolitan . . . . .	{	15-6V.c.52.
		37-8V.c.77,s.13.
		43V.c.3.
		3-4W.4,c.85,s.94.
Provisions as to leave of absence of Bishops . . . . .	{	34-5V.c.62.
		43V.c.3.
		53G 3,c.155,ss.51,52.
		3-4W 4,c.85,ss.93,94.
Jurisdiction of Bishop of Calcutta . . . . .	{	15-6V.c.52.
		37-8V.c.77,s.13.
		4G 4,c.71,s.6.
		15-6V.c.52.
Admission to holy orders by Bishop of Calcutta . . . . .	{	16-7V.c.49.
		37-8V.c.77,s.8.
		37-8V.c.77,s.12.
		59G.3,c.60,s.1.
Power of bishops to ordain persons on commission from bishops in England . . . . .	{	37-8V.c.77,ss.3to7.
Consecration of persons to be bishops, oath . . . . .		
Ordination of clergy for colonies . . . . .		
Clergy not to officiate without permission of Bishop . . . . .		

[1] This short title was given by 59 & 60 Vict. c. 14.

**BISHOPS AND CLERGY—contd.**

- Two Chaplains of Church of Scotland to be on establishment of }  
each Presidency . . . *Id.* . . . . . } 3-4IV.4,c.85,s.102.

**BOARD OF REVENUE.**

- Sadr Board of Revenue (Bengal); style altered to "Board of }  
Revenue" . . . . . } Act44,1850,s(3).  
Powers and duties in respect of customs, opium and salt trans- }  
ferred to . . . . . } " s.2.  
Constituted for Eastern Bengal and Assam; application of Ben. }  
Reg. 3, 1822, and Act 44, 1850, to; powers and functions of . } Act7,1905,s 4.  
General powers, duties, etc., of (Bengal). See LAND-REVENUE,  
III, 2; OPIUM, II, 2; REGIS-  
TRATION OF LAND, I.  
" " " " (E. B. and A.). See EASTERN  
BENGAL AND ASSAM; LAND-  
REVENUE, V, A, 2; OPIUM, II,  
2; REGISTRATION OF LAND, I.  
" " " " (Madras). See LAND-REVENUE,  
XIII, 2, XIV; REGISTRA-  
TION OF LAND, III, B; VIL-  
LAGE, F.  
" " " " (U. P.). See LAND-REVENUE,  
XVI, 2; OPIUM, II, 2.

- To be Court of Wards . . . . . }  
(Ben., E.B. & A.) Ben Act  
9, 1879, s.5.  
(Mad.) Mad. Act 1, 1902, s.  
5, Mad. Reg. 5, 1804, s.2 [1]  
(U.P.) U.P. Act 3, 1899, s.4.

Divested of charge of religious endowments. See ENDOWMENT, 2.  
Duties and powers of, in connection with charitable endowments  
and escheats. See ENDOWMENT, 1; ESCHIEAT.  
See also ASSAM.

**BOATS.**

- In Bombay Harbour; regulation of. See PUBLIC CONVEYANCE.  
Regulation of, in municipalities:  
See under MUNICIPALITY, sub-heading "The Public Health,  
Safety and Convenience."  
See also MERCHANT SHIPPING, 7 (a).

**BOILERS. See STEAM-BOILERS.**

- BOMBAY CIVIL FUND ACT, 1882[2] [See GOVERNMENT OF }  
INDIA, 2 (d)] . . . . . } 45-6V.c.45.  
BOMBAY ABKARI ACT, 1878. (See CANTONMENT; CUSTOMS, }  
INLAND; EXCISE; MERCHANDISE MARKS; MUNICIPALITY, }  
IX, 4) . . . . . } Bom. Act 5, 1878.  
BOMBAY ABKARI ACT AMENDMENT ACT, 1892. (See }  
Excise) . . . . . } Bom. Act 3, 1892.  
BOMBAY ABKARI ACT AMENDMENT ACT, 1901 . . . . Bom. Act 5, 1901.  
BOMBAY ABKARI (AMENDMENT) ACT, 1903 . . . . Bom. Act 1, 1903.  
BOMBAY BOILER INSPECTION ACT, 1891. (See STEAM- }  
BOILERS AND PRIME-MOVERS) . . . . . } Bom. Act 2, 1891, Am., Bom.  
Act 2, 1897;  
Am., Bom. Act 2, 1903  
BOMBAY CITY LAND-REVENUE ACT, 1876 (See LAND }  
(IND. LAW); LAND-REVENUE, VII, VIII) . . . . Bom. Act 2, 1876.

[1] Rep. except in Scheduled Districts by Mad. Act 1, 1932.

[2] This short title was given by 59 & 60 Act c. 14.

BOMBAY CIVIL COURTS ACT, 1869. ( <i>See</i> CIVIL COURTS, VI; DISTRICT; PROCESS-FEES; PUBLIC OFFICER; SEAL) . . . }	Act14,1869.
BOMBAY CIVIL COURTS ACT, 1880 . . . . .	Act9,1880.
BOMBAY CIVIL COURTS ACT AMENDMENT ACT, 1895 . . . . .	Bom.Act3,1895.
BOMBAY CIVIL COURTS AMENDMENT ACT, 1900 . . . . .	Bom.Act1,1900.
BOMBAY COURT OF WARDS ACT, 1905 ( <i>See</i> COURT OF WARDS) . . . . . }	Bom Act1,1905.
BOMBAY DISTRICT MUNICIPAL ACT, 1901. ( <i>See</i> ANIMAL; BROTHEL AND DISORDERLY HOUSE; CANTONMENT; DOG; LOCAL SELF-GOVERNMENT, IV, MUNICIPALITY, VIII) . . . }	Bom.Act3,1901.
BOMBAY DISTRICT MUNICIPAL ACT (1901) AMENDMENT ACT, 1902 . . . . . }	Bom.Act3,1902.
BOMBAY DISTRICT POLICE ACT, 1867. ( <i>See</i> NUISANCE) . . . . .	Bom Act7,1867.
BOMBAY DISTRICT POLICE ACT, 1890 ( <i>See</i> ANIMAL, B; ARMS, AMMUNITION AND MILITARY STORES; BROTHEL AND DISORDERLY HOUSE; CRIMINAL LAW (IND.), 6; CRIMINAL PROCEDURE (IND.), 6; CRUELTY TO ANIMALS, 4; DISTURBED DISTRICT, DOG; FIRE, II, GAMING; INFECTIOUS DISEASE, MUNICIPALITY, VIII, NUISANCE, POLICE, I; SLAUGHTER OF ANIMALS; STREETS, THOROUGHFARES AND PUBLIC PLACES; UNCLAIMED PROPERTY; WATER) . . . }	Bom.Act4,1890. }
BOMBAY DISTRICT VACCINATION ACT, 1892. ( <i>See</i> PRISON; VACCINATION) . . . . . }	Bom.Act1,1892.
BOMBAY FERRIES ACT, 1868. ( <i>See</i> FERRY) . . . . .	Bom.Act2,1868.
BOMBAY GENERAL CLAUSES ACT, 1904. ( <i>See</i> ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . . }	Bom.Act1,1904.
BOMBAY HEREDITARY OFFICES ACT. ( <i>See</i> VILLAGE) . . . . .	Bom.Act3,1874.
BOMBAY HEREDITARY OFFICES ACT, 1910 . . . . .	Bom.Act3,1910.
BOMBAY HIGHWAY ACT, 1883. ( <i>See</i> TAXES; TOLLS) . . . . .	Bom.Act1,1883.
BOMBAY HINDU HEIRS' RELIEF ACT, 1866. ( <i>See</i> HINDU; HINDU WIDOW) . . . . . }	Bom.Act7,1866.
BOMBAY IRRIGATION ACT, 1879. ( <i>See</i> DRAINAGE, II; IRRIGATION, IV) . . . . . }	Bom.Act7,1879.
BOMBAY LANDING AND WHARFAGE FEES ACT, 1882 [See CUSTOMS (SEA); PORT] . . . . . }	Bom.Act7,1882
BOMBAY LAND RECORD OF RIGHTS ACT, 1903. [See LAND (IND. LAW), D, LAND REVENUE, VII] . . . . . }	Bom Act4,1903.
BOMBAY LAND-REVENUE CODE, 1879. ( <i>See</i> ARBITRATION, DISTRICT, DIVISION; FOREST, IRRIGATION, IV, LAND (IND. LAW), LANDLORD AND TENANT, V; LAND-REVENUE, VII, VIII; MINES AND MINERALS; REGISTRATION OF LAND, TREES; WATER) . . . . . }	Bom.Act5,1879.
BOMBAY LAND-REVENUE CODE AMENDMENT ACT, 1901. ( <i>See</i> LAND-REVENUE, VII) . . . . . }	Bom.Act6,1901.
BOMBAY LOCAL BOARDS ACT, 1884 ( <i>See</i> CANTONMENT. EDUCATION, LOCAL RATES AND CESSSES, C, LOCAL SELF-GOVERNMENT, IV, MUNICIPALITY, VIII, TOLLS) . . . }	Bom.Act1,1884.
BOMBAY LOCAL FUNDS ACT, 1869 ( <i>See</i> LOCAL RATES AND CESSSES, C) . . . . . }	Bom Act3,1869.
BOMBAY MOTOR VEHICLES ACT, 1904 ( <i>See</i> MOTOR CARS AND CYCLES, MUNICIPALITY, IX, MUSIC) . . . . . }	Bom.Act2,1904.



BOMBAY MUNICIPAL DEBENTURES ACT, 1876 (See MUNICIPALITY, IX) . . . . .	Act15,1876.
BOMBAY MUNICIPAL SERVANTS ACT. (See MUNICIPALITY, VIII, IX) . . . . .	Bom.Act 5,1890.
BOMBAY PORT TRUST ACT, 1879. [See CUSTOMS (SEA); MERCHANT SHIPPING; MUNICIPALITY, IX; PORT COMMISSIONERS, ETC.] . . . . .	Bom.Act6,1879.
BOMBAY PORT TRUST (AMENDING BOMBAY ACT 6 OF 1879) . . . . .	Bom.Act1,1881. Bom.Act3,1881. Bom.Act3,1883. Bom.Act6,1883.
BOMBAY PORT TRUST (AMENDING BOMBAY ACT 6 OF 1879) . . . . .	Bom Act1,1899.
BOMBAY PORT TRUST ACT AMENDMENT ACT, 1901 . . . . .	Bom.Act2,1901.
BOMBAY PORT TRUST (AMENDMENT) ACT, 1910 . . . . .	Bom.Act4,1910.
BOMBAY PREVENTION OF ADULTERATION ACT, 1899. (See FOOD AND DRINK; MUNICIPALITY, IX) . . . . .	Bom.Act2,1899.
BOMBAY PREVENTION OF GAMBLING ACT, 1887. (See GAMING) . . . . .	Bom Act4,1887.
BOMBAY PUBLIC AUTHORITIES SEALS ACT, 1883. (See SEAL) . . . . .	Bom Act5,1883
BOMBAY REPEALING AND AMENDING ACT, 1905 . . . . .	Bom Act4,1905.
BOMBAY REPEALING AND AMENDING ACT, 1910 . . . . .	Bom Act1,1910.
BOMBAY REVENUE JURISDICTION ACT, 1876 (See INCUMBERED ESTATES, II, LAND (IND. LAW); LANDLORD AND TENANT, V; LAND-REVENUE, VI) . . . . .	Act10,1876.
BOMBAY REVENUE JURISDICTION ACT, 1880 . . . . .	Act15,1880.
BOMBAY SALT ACT, 1890. (See SALT) . . . . .	Bom Act2,1890.
BOMBAY SURVEY AND SETTLEMENT ACT (See LANDLORD AND TENANT, V; LAND-REVENUE, VII) . . . . .	Bom.Act1,1865
BOMBAY TRAMWAYS ACT, 1874. (See TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT) . . . . .	Bom.Act1,1874.
BOMBAY TRAMWAYS ACT AMENDMENT ACT, 1895 . . . . .	Bom.Act2,1895.
BOMBAY TRAMWAYS (AMENDMENT) ACT, 1907 . . . . .	Bom.Act1,1907.
BOMBAY UNIVERSITY ACT, 1857. (See UNIVERSITY) . . . . .	Act22,1857.
BOMBAY VACCINATION ACT, 1877. (See VACCINATION) . . . . .	Bom Act1,1877.
BOMBAY VILLAGE POLICE ACT, 1867. (See CRIMINAL PROCEDURE (IND.) 6; CRUELTY TO ANIMALS, 4; POLICE, III; UNCLAIMED PROPERTY) . . . . .	Bom Act8,1867.
BOMBAY VILLAGE POLICE ACT AMENDMENT ACT, 1876. . . . .	Bom.Act1,1876.
BOMBAY VILLAGE SANITATION ACT, 1889 (See NUISANCE; POLICE, III; VILLAGE) . . . . .	Bom.Act1,1889.
BOOKS.	
Copyright in. See COPYRIGHT, 1, 5 (a).	
See also PRINTING PRESSES AND PUBLICATIONS.	
BOUNDARIES ACT (BURMA), 1880 . . . . .	Act5,1880.
„ „ AMENDMENT ACT (BURMA), 1895. (See BOUNDARIES AND SURVEY-MARKS) . . . . .	Act2,1895.
BOUNDARIES.	
Settlement of. See CHITTAGONG HILL TRACTS; FOREST, 8; FRONTIER, A, 1; C, 2.	

BOUNDARIES—*contd.*

Provision of boundary-marks for railway . . . . .	Act9,1890,s.13.
Ajmere: erection and repair of boundary-marks . . . . .	Reg.2,1877,s.106.
See LAND-REVENUE, V, B, 3 (b); VII, A, 5 (c); VIII, 4; XI, 3 (a), (b); XV, 3, 4 (c); XVI, 3, 4 (c).	
Chittagong Hills . . . . .	Reg.1,1900,s.2.
Burma, Coorg and Madras Presidency. See BOUNDARIES AND SURVEY-MARKS.	
Scheduled Districts . . . . .	Act14,1874,s.8.
Sundarbans. See SUNDARBANS.	

## BOUNDARIES AND SURVEY-MARKS.

## 1 Bengal.

See SURVEY OF LAND.

## 2. Burma.

Act 5, 1880, extends <i>proprio vigore</i> to Lower Burma . . . . .	Act5,1880,s.1.
“ “ declared in force in Upper Burma, except the Shan States . . . . .	Act13,1898,s.4,Sch.1.
Act 2, 1895, extends to the whole of Burma, except the Shan States . . . . .	Act2,1895,s.1.
Definition of “survey-mark” . . . . .	Act5,1880,s.1A.
Power to appoint, suspend and remove Demarcation-officers and Boundary-officers; their powers and duties . . . . .	“ s.2.
Demarcation-officer or Boundary-officer to base his inquiry or order on fact of actual possession without reference to claim of title; procedure where fact of possession is doubtful or possession was wrongfully obtained within three months . . . . .	“ s.2A.
Power of Local Government to direct demarcation of boundaries of any land by Demarcation-officer . . . . .	Act5,1880,s.3.
Power of Demarcation-officer—	
to make enquiries and demarcate . . . . .	“ s.4
to require attendance and information . . . . .	“ ss.5,6,9.
to require clearing of land or other assistance in making de- marcation . . . . .	“ s.7.
Compensation payable for making clearance . . . . .	“ s.8.
Demarcation-officer to mark out boundaries and cause erection of boundary-marks by owners or occupiers of land . . . . .	“ s.10.
Boundary-officer to invite and deal with objections to boundaries as determined by Demarcation-officer . . . . .	“ ss.11,12.
“ to pass order confirming or modifying such boundaries . . . . .	“ s.12.
“ proceedings of, when objection made to such order . . . . .	“ ss.13,14.
“ to have powers of Demarcation-officer and power to compel evidence . . . . .	“ s.15.
“ power of, to refer dispute to arbitration . . . . .	“ s.16.
“ orders of, when final, appeal . . . . .	“ ss.17,18, 20,21.
Boundary-marks: erection of, by Boundary-officer; appor- tionment of cost amongst owners or occupiers of land . . . . .	Act5,1880,s.22to24.

BOUNDARIES AND SURVEY-MARKS—*contd.*

Bombay-marks: preservation of, by owners or occupiers of land . . . . .	Act5,1880,s.25.
„ repair, etc., of, by order of Magistrate at cost of owner or occupier . . . . .	„ s.26.
„ erection and repair of, under Land and Revenue Act . . . . .	(L.B.) Act 2,1876,s.54.
Power to invest Survey-officer, for purposes of survey of any land, with powers of Demarcation-officer and Boundary-officer under Act . . . . .	Act5,1880,s.28.
Duty of village-headman, thugyi and owner or occupier of land to prevent and report injury to boundary or survey-mark . . . . .	„ s.28A.
Power to perform act in default of person liable, and recover cost from him . . . . .	„ s.29.
Penalty for failure to discharge duty imposed, or neglecting to comply with order issued, under Act . . . . .	„ s.30.
Recovery of amounts due under Act . . . . .	„ s.31.
Power of Local Government to make rules for working of Act . . . . .	„ s.32.

## 3. Coorg.

See LAND-REVENUE.

## 4. Madras Presidency.

Mad. Act 4, 1897, extends throughout the Presidency of Madras	Mad. Act 4, 1897, s.1(2).
Power of Collector or other officer to decide boundary disputes arising otherwise than in course of a survey and demarcate boundaries and to require owner, etc., to clear boundary-line and erect and maintain survey-marks . . . . .	„ ss.22to27.
Clearance of boundaries, laying down of boundaries and erection or repair of survey-marks when survey in progress, at cost of owners, etc.; cost to be borne by Government in certain exceptional cases . . . . .	„ ss.6to8,10,11,17,18.
Restoration, etc., of mark by Collector or Survey-officer, at cost of owner, etc., of land . . . . .	„ ss.14,21,27.
Power to refer boundary-dispute to arbitration; procedure . . . . .	„ s.30.
Decision of Collector or Survey-officer in accordance with arbitrator's award to be conclusive . . . . .	„ s.30(3).
Marking out of boundary by Survey-officer, etc., when no reference to arbitration; appeal from his order . . . . .	„ ss.11,12,18,24.
Party to boundary-dispute may institute suit to establish right . . . . .	„ ss.13,25.
Appeal from orders imposing charge for expenses of survey, construction of survey-marks, etc. . . . .	„ ss.16,18,20.
General power to enter land, summon witnesses, require production of documents . . . . .	„ ss.28,29.
Owners, etc., to be responsible for repair and maintenance of survey-marks . . . . .	„ ss.14,27.
Completion of survey of village to be reported or communicated . . . . .	„ ss.11(4),21(1),24(3).
Power of Collector, etc., to require owners, etc., to construct or repair survey-marks, and in their default to execute work himself and assess charges on them; appeal . . . . .	„ ss.6to8,10,16,18,20,21,27.
Power to make rules . . . . .	„ s.32.
Bar of suit for things done under Act in good faith . . . . .	„ s.33.

BOUNDARIES AND SURVEY-MARKS—*contd.*

## 5. Punjab, Boundaries of Riverain Estates.

*See* ALLUVION AND DILUVION.BOUNTY. *See* CUSTOMS.

BRIBERY.

Included among Extradition Crimes. *See* EXTRADITION, I.

BRIDGES.

Superintendence, repair, etc., of. *See* ENDOWMENT.Tolls on. *See* TOLLS.

## BRITISH BALUCHISTAN.

## I.—GENERALLY.

Power to constitute districts and tahsils and vary limits thereof . . . . .	Reg.1,1890,s.2.
What enactments in force in . . . . . {	„ s.3(1),(2), Sch.
Power to withdraw enactments from . . . . .	„ s.3(3).
Acts 1 of 1872, 1 of 1879 and [1] 13 of 1889, and Reg. 9 of 1887, } modified in . . . . . }	„ s.4.
Power for Courts to construe enactments with necessary alter- } ations . . . . . }	„ s.5.
Validation of past acts and rules . . . . .	„ ss.6,7.

## II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN.

## . Preliminary.

Reg. 5, 1910, to extend to whole of British Baluchistan, but to be } operative only in areas declared to be bazars . . . . }	Reg.5,1910,s.1.
Definitions . . . . .	„ ss.2,8(2).

## 2. Constitution and Government.

## (a) CONSTITUTION OF BAZARS.

Power to create, alter limits of, or abolish bazar . . . . .	„ s.3.
Effect of excluding local area from bazar . . . . .	„ s.3(3).
Power to except bazar from operation of any section of [Regula- } tion . . . . . }	„ s.3(1).

## (b) OFFICERS AND SERVANTS

Appointment, pension and other allowances; Provident Fund . . . . .	„ ss.4,5.
Penalty for officer or servant of bazar being interested in con- } tract made with Deputy Commissioner . . . . . }	„ s.92.

## 3. Taxation.

Taxes which may be imposed . . . . .	„ s.8.
Procedure in imposing taxes . . . . .	„ s.11(1).
Compounding for tolls . . . . .	„ s.8(1), proviso.
Power to abolish or reduce tax . . . . .	„ s.11(2).
„ to exempt person or property from taxation . . . . .	„ s.12.
Scavenging-tax . . . . .	„ s.9.
Water-tax . . . . .	„ s.10.

[1] Reg. by Act 15, 1910.

BRITISH BALUCHISTAN—*contd.*II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*3. Taxation—*contd.*

Taxes not invalid for defect of form . . . . .	Reg.5,1910,s.13.
„ when paid . . . . .	„ s.14.
„ receipts to be given for . . . . .	„ s.15.
Appeal against taxation: limitation . . . . .	„ ss.16,17.
Taxation not to be questioned except under Regulation . . . . .	„ s.18.
Recovery of taxes . . . . .	„ ss.88(1), 97.
Octroi; search for and examination of articles liable to . . . . .	„ ss.19,20.
„ presentation of bill for . . . . .	„ s.21.
„ recovery of; seizure and sale of property . . . . .	„ s.22.
„ Government property exempt from . . . . .	„ s.8(1), proviso.
Existing taxes leviable under orders of Chief Commissioner or the Governor General in Council to be deemed taxes imposed under Regulation . . . . .	„ s.23.
Power to make rules for assessment and recovery of taxes, fees, etc. . . . .	„ s.88(1)(a).

## 4. Bazar Fund and Property.

Bazar Fund; constitution, vesting and management of; certain fines realized under Act 5, 1861, s 34, or Prevention of Cruelty to Animals Act, 1890, to be credited to . . . . .	„ s.24.
„ application of . . . . .	„ s.25.
„ custody and investment of . . . . .	„ ss 26,27.
„ disposal of, when area excluded from bazar . . . . .	„ s.3(5).
„ compensation when payable out of . . . . .	„ s.64.
Property purchased out of bazar fund vested in Chief Commis- sioner . . . . .	„ s.24.
„ acquisition of land for bazar . . . . .	„ s.94.
„ power to make rules for transfer, etc., of bazar pro- perty . . . . .	„ s.88(1)(c).
„ disposal of, when area excluded from bazar . . . . .	„ s.3(3).
Contract; authority of Deputy Commissioner to make contracts . . . . .	„ s.6.
„ mode of making . . . . .	„ s.6(2),(3).
„ penalty on officer or servant of bazar being interested in contract made with Deputy Commissioner . . . . .	„ s.92.
Suit, etc., against Deputy Commissioner or officer or servant for acts done in good faith, barred . . . . .	„ s.93.
Power to make rules as to the authority on which money may be paid out of bazar fund and for management, etc., of Pro- vident Fund . . . . .	„ s.88(1) (b).

## 5. Police.

Power to make rules as to the offences under the Regulation or rules which shall be cognizable by the police . . . . .	Reg.5,1910,s.88(1)(f).
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IL—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

(a) STREETS AND PUBLIC PLACES.	(k) FOOD, DRINK AND DRUGS.
(b) BUILDINGS.	(l) RESTRAINT OF INFECTION.
(c) DANGEROUS BUILDINGS, ETC.	(m) DISPOSAL OF THE DEAD.
(d) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.	(n) OFFENSIVE AND DANGEROUS TRADES.
(e) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.	(o) PREVENTION AND EXTINCTION OF FIRE.
(f) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.	(p) DANGEROUS ANIMALS.
(g) SCAVENGING.	(q) HACKNEY-CARRIAGES, ETC.
(h) SLAUGHTER-PLACES.	(r) ENTRY AND INSPECTION.
(i) BATHING AND WASHING PLACES.	(s) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(j) WATER-SUPPLY.	(t) MISCELLANEOUS.

	Reg. 5, 1910, s. 25(2)(a), (b).
Acquisition of land for building sites on sides of streets . . .	" n. 24,
Power to close, divert or discontinue streets . . .	" n. 24,
Power to permit temporary occupation of street or land, and charge fees therefor . . .	" n. 30,
Naming of streets; penalty for destroying or defacing name . .	" n. 32,
Removal of structure, etc., encroaching on public street . . .	" n. 34,
Power to make rules for regulating traffic in streets . . .	" s. 84, I (d).
Penalty for unlawfully placing earth, materials or offensive matter on street or public place . . . }	" n. 35,
„ unlawfully discharging sewage on street or public place . .	" n. 36,
„ driving vehicle without lights . . . . .	" s. 76,
„ not removing camel to a safe distance . . . . .	" s. 77,
„ unlawfully altering, obstructing or encroaching on } street or public place . . . . . }	" n. 37,
„ defacing or disturbing direction-post or lamp-post, or } extinguishing light . . . . . }	" s. 38.

See also below, (p), (t).

Power to attach brackets for lamps . . . . .	"	" 21,
Numbering of buildings, penalty for destroying or defacing } number . . . . .	"	" 22
Regulation of new building, compensation . . . . .	"	" 23
Power to require alteration, demolition, etc., of building unlaw- } fully erected, re-erected, etc.; penalty . . . . .	"	" 24, 25
Removal of projections and overhanging structures . . . . .	"	" 26
Putting up and maintaining troughs and pipes for run-water . . . . .	"	" 27
<i>See also below, (c), (d), (g), (r).</i>		

BRITISH BALUCHISTAN—*contd.*II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*6. The Public Health, Safety and Convenience—*contd.*

## (c) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation . . . . .	} Reg. 5, 1910, s 53.
Removal or repair of dangerous or ruinous building, wall or structure . . . . .	
	„ s. 54.

## (d) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Clearing away noxious vegetation or undergrowth . . . . .	„ s 55.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply . . . . .	} „ s. 56.
Cleansing of filthy building or land . . . . .	
Power to prohibit use for human habitation of building unfit for such use . . . . .	} „ ss. 52, 57.
Securing or enclosing of untenanted building or land becoming a nuisance . . . . .	
Prohibition or regulation of cultivation, use of manure or irriga- tion injurious to health; compensation; penalty . . . . .	} „ s. 59.
	„ s 60.

## (e) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offen- sive matter and carcasses of animals . . . . .	} „ s. 36.

## (f) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Bazar Fund applicable to construction, etc., of public drains, latrines and water-courses . . . . .	} „ s. 25(2)(a)
Provision of privy or cesspool . . . . .	
Provision and maintenance of latrines and urinals for workmen . . . . .	„ s. 48(1).
Shutting out of privy from view, etc. . . . .	„ s 48(3).
Repair of privy, drain or cesspool, closing of cesspool . . . . .	„ s. 48(2).
Removal of privy, drain or cesspool . . . . .	„ s 49.
Unauthorized building, etc., over, or encroaching on, sewer, drain or aqueduct . . . . .	} „ s. 49(2).
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply; penalty . . . . .	
Penalty for unlawfully placing earth, materials or offensive matter in public sewer or drain or into drain communicating therewith . . . . .	} „ ss. 34, 50.
„ „ unlawfully discharging sewage into drain . . . . .	
„ „ failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state . . . . .	} „ s. 51, 73.
„ „ making or altering drain without proper authority . . . . .	
„ „ unlawfully altering, obstructing or encroaching on drain . . . . .	} „ s 69.
	„ s. 70.
	„ s. 71.
	„ s. 72.
	„ s 81.

See also *below*, (r).

## (g) SCAVENGING.

Power of Deputy Commissioner to provide for scavenging by his own agents; entry for performance and supervision of scaveng- ing . . . . .	} „ s. 45.

BRITISH BALUCHISTAN—*contd.*II—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*6. The Public Health, Safety and Convenience—*contd.*

## (h) SLAUGHTER-PLACES.

Places for slaughter of animals for sale ; penalty for slaughter elsewhere . . . . .	Reg. 5, s.1910,37.
<i>See also below, (k).</i>	

## (i) BATHING AND WASHING PLACES.

Establishment and regulation of . . . . .	" s.35
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## (j) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water . . . . .	" s.27(2).
Unauthorised building over watercourse or water-pipe . . . .	" s.50.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply . . . . .	" s.51.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive . . . . .	" s.52.
Penalty for making or keeping drain, latrine, etc., near source of public water-supply . . . . .	" s.73.

## (k) FOOD, DRINK AND DRUGS.

Bazar Fund applicable to construction, etc., of markets . . .	" s.25(2)(c).
Power to—	
inspect market or other place used for sale or storage of articles for human consumption, or as a slaughter-house, or for the sale of drugs . . . . .	" s.44.
seize and remove or destroy articles unfit for human consumption . . . . .	
remove noxious or adulterated drug . . . . .	
bring such articles before Magistrate . . . . .	
Power to make by-laws regulating sale and transport of articles for human consumption . . . . .	" s.68.
Penalty for feeding dairy or slaughter animals on deleterious substance . . . . .	" s.75.

## (l) RESTRAINT OF INFECTION.

Cholera, small-pox or plague ; information to be given of . . .	" s.65.
" " " removal of patient to hospital . . . . .	" s.66.
Prohibition of use of unwholesome water for drinking purposes .	" s.67.
<i>See also (k).</i>	

## (m) DISPOSAL OF THE DEAD.

Power of Deputy Commissioner to close existing burial or burning place . . . . .	" s.33.
Permission of Deputy Commissioner required [to forming of] new burial or burning place . . . . .	" s.33(3).
Routes for removal of corpses . . . . .	" s.35(5).
Penalty for carrying corpse along prohibited route or so as to cause annoyance to public . . . . .	" s.83.



BRITISH BALUCHISTAN—*contd.*II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*6. The Public Health, Safety and Convenience—*contd.*

## (n) OFFENSIVE AND DANGERS TRADES.

Regulation or prohibition of ; penalties ; suspension of prosecution pending appeal . . . . .	Reg.5,1910,ss.61,62.
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## (o) PREVENTION AND EXTINCTION OF FIRE

Power to prevent stacking or collecting straw, wood or other inflammable materials, or placing of mats or thatched huts, or lighting of fires in any place . . . . .	„ s 39.
Power to regulate or prohibit trading in hay, straw, thatching grass, wood, coal, or other highly inflammable material . . . . .	„ ss 61,62.
Power to regulate the storage of petroleum or other inflammable or explosive material . . . . .	„ ss 61,62.

*See also below, (r).*

## (p) DANGEROUS ANIMALS.

Bazar Fund applicable to destruction of stray and ownerless dogs . . . . .	„ s 23(2)(h).
Destruction or confinement of mad or stray dogs . . . . .	„ s.80
Penalty for suffering dogs to be at large unmuzzled . . . . .	„ s 79.

## (q) HACKNEY-CARRIAGES, ETC.

Power to make bye-laws for licensing of vehicles, drawn by animals or persons ; limiting the rates for hire of carriages . . . . .	„ s 88(2).
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## (r) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools ; opening of ground to prevent or remove nuisance ; payment of expenses ; notice of entry . . . . .	„ s.40.
„ „ enter building and direct cleansing for sanitary reasons, notice of entry . . . . .	„ s 41.
„ „ enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work, notice of entry . . . . .	„ s 42.
„ „ enter for discovery of vehicles or animals liable to taxation . . . . .	„ s 43.
Precautions to be observed in entering dwelling . . . . .	„ s.46.

*See also above, (k)*

## (s) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Bazar Fund applicable to . . . . .	„ s.25(2).
Power to make rules for registration of births, marriages and deaths and for the taking of a census . . . . .	„ s.88(1)(e).

## (t) MISCELLANEOUS.

Delegation of powers of Deputy Commissioner under Chapters V and VI (ss. 28 to 85) ; appeal . . . . .	„ s.7.
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BRITISH BALUCHISTAN—*concl'd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*concl'd.*

6. The Public Health, Safety and Convenience—*concl'd.*

(1) MISCELLANEOUS—*concl'd.*

Bazar Fund applicable to—

construction, etc., of rest-houses, gardens, pounds and other works of public utility . . . . .	}	Reg. 5, 1910, s. 25(2)(c), (d).
grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums, etc. . . . .		
planting and preservation of trees . . . . .	}	" s. 25(2).
public vaccination . . . . .		
sanitary measures . . . . .		
things likely to promote safety, health, welfare or convenience of inhabitants . . . . .		
any other matter, declared by Deputy Commissioner with sanction of Commissioner to be an appropriate charge on Bazar Fund . . . . .	}	" s. 87.
Vaccination; power to apply Vaccination Act, 1830, to bazar . . . . .		
" power to make rules for the regulation of . . . . .	"	s. 88(1)(c).
Power to make rules for controlling public processions and music . . . . .	"	s. 88(1)(d).
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game . . . . .	"	s. 77.
Penalty for picketing animals, collecting carts, etc., suffering animals to be at large . . . . .	"	s. 82.
Penalty for not complying with notice or conditions, suspension of prosecution pending appeal . . . . .	"	s. 85.
Brothels: power to suppress, penalty . . . . .	"	s. 91.
Power to make rules for suppression of mendicancy, loitering, etc., for prostitution, and for removal of disorderly persons . . . . .	"	s. 89.
Penalty for breach of rules or bye-laws . . . . .	"	s. 90.

7. Supplemental.

Control of Commissioner and Chief Commissioner . . . . .	"	s. 86.
Rules, powers for making . . . . .	"	ss. 88, 89.
Bye-laws; powers for making . . . . .	"	s. 88(2)
Rules or bye-laws, penalties for breach of . . . . .	"	s. 90.
Notice to fix reasonable time for doing act . . . . .	"	s. 63.
Compensation when payable out of Bazar Fund; application of procedure of Land Acquisition Act for settlement of disputes . . . . .	"	s. 64.
Prosecutions by whom to be initiated . . . . .	"	s. 96.
Judge or Magistrate not to be deemed interested merely for having, as Deputy Commissioner, approved prosecution . . . . .	"	s. 95.
Irregularities not to invalidate proceedings . . . . .	"	s. 98.
Validation of acts done before commencement of Regulation . . . . .	"	s. 99.

For further provisions specially enacted for British Baluchistan see the appropriate heads

BRITISH BALUCHISTAN BAZAR REGULATION, 1910 } (See BRITISH BALUCHISTAN, CANTONMENT; VACCINATION, V)	Reg. 5, 1910.
BRITISH BALUCHISTAN CIVIL JUSTICE REGULATION, 1896 } (See CIVIL COURTS, VII, CIVIL PROCEDURE, 12, INTEREST; LEGAL PRACTITIONER, MATRIMONIAL CAUSES)	Reg. 9, 1896.
BRITISH BALUCHISTAN CRIMINAL JUSTICE REGULATION, 1896. (See CRIMINAL PROCEDURE 14)	Reg. 5, 1896.

BRITISH BALUCHISTAN FOREST REGULATION, 1890 } (See FOREST) . . . . .	Reg.5,1890.
BRITISH BALUCHISTAN LAWS REGULATION, 1890 [See ACTS AND REGULATION OF INDIAN LEGISLATURES, I; ADMINIS- TRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; AGENCY; ANIMAL, B; BRITISH BALUCHISTAN; CANTONMENT; CIVIL PROCEDURE, 12; CONTRACT; COURT-FEES; CRIMINAL LAW (IND), 25; DEREGULATIONISED TRACTS; DESIGNS; DIS- TRICT; DISTURBED DISTRICT; EVIDENCE, II; FOREIGN ENLISTMENT; FOREIGNER; FRONTIER; INDIAN MILITARY AND NAVAL FORCES; INDIAN RESERVE FORCES; INVEN- TIONS; LUNATIC; MARRIAGE; MATRIMONIAL CAUSES; OATH AND AFFIRMATION, OFFICIAL SECRETS; OPIUM; PARTNER- SHIP; PENSIONS AND GOVERNMENT GRANTS, POLICE, I; PREVENTIVE RELIEF; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY; REGISTRATION OF BIRTHS, ETC.; SALT; SCHED- ULED DISTRICTS; SLAVERY, SMALL CAUSE COURTS, B; SPECIFIC RELIEF; STATE PRISONER, SUCCESSION; TELE- GRAPH; VAGRANT; VALUATION OF SUITS; VOLUNTEERS]	Reg.1,1890.
BRITISH BURMA PILOTS ACT, 1883. (See MERCHANT } SHIPPING) . . . . .	Act12,1883.
BRITISH BURMA PILOTS ACT AMENDMENT ACT, 1908 } (See MERCHANT SHIPPING) . . . . .	Bur.Act5,1908.
BRITISH BURMA, AND BRITISH BURMA GAZETTE. Construction of references to. See BURMA.	
BRITISH INDIA Defined. See WORDS AND PHRASES.	
BRITISH LAW ASCERTAINMENT ACT, 1859.[ <sup>1</sup> ] (See LAW.)	22-3V.c.63.
BRITISH NATIONALITY ACT { 1730. } (See BRITISH SUBJECT). { 1772. }	4G.2,c.21. 13G.3,c.21.
BRITISH POSSESSION defined. See WORDS AND PHRASES. See also MEDICAL PRACTITIONER	
BRITISH SETTLEMENTS ACT, 1887 (See BRITISH SETTLEMENT; } COURT . . . . .	50-IV.c.54.
BRITISH SETTLEMENT. Power of Her Majesty in Council to make laws for and constitute } Courts in . . . . .	50-IV.c.54.
Delegation of power by Her Majesty . . . . .	50-IV.c.54,s.3.
BRITISH SUBJECT.	
1707 7 A. c. 5, s. 3 (Children born out of } Allegiance). . . . .	1870. 33-4 V. c. 14[ <sup>2</sup> ] (Naturalization).
1730. 4 G. 2, c. 21 (Children born out of } Allegiance). . . . .	" 33-4 V. c. 102[ <sup>2</sup> ] (Naturalization).
1772 13 G. 3, c. 21 (Children born out of } Allegiance). . . . .	1872. 35-6 V. c. 39[ <sup>2</sup> ] (Naturalization).
	1895. 58-9-V. c. 43 (Naturalization)
1. Children born out of Allegiance	3. Miscellaneous.
2. Declaration of Alienage, Expatriation and Resumption of Nationality.	
See also ALIEN.	
1. Children born out of Allegiance	
Children of natural-born subject born out of England declared to { be natural-born subjects; exceptions . . . . .	7A.c.5,s.3. 4G.2,c.21. 13G.3,c.21.
See also, as to status of married women and children, below, 2 (d).	

[<sup>1</sup>] This short title was given by 59 & 60 Vict. c. 14.

[<sup>2</sup>] Collective title ("Naturalization Act, 1870") given by 33 & 34 Vict. c. 104.

[<sup>3</sup>] Collective title ("Naturalization Acts, 1870 to 1872") given by 35 & 36 Vict., c. 39.

BRITISH SUBJECT—*contd.*

## 2. Declaration of Alienage, Expatriation and Resumption of Nationality.

## A.—DECLARATION OF ALIENAGE.

Power of subject born in Her Majesty's dominions, but at birth a subject of a foreign State under the law of such State, or child born out of Her Majesty's dominions of father being a British subject, to make declaration of alienage . . . . .	33-4V.c.14,s.4.
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## B.—EXPATRIATION.

British subject voluntarily naturalized in foreign State to cease to be British subject, and to be statutory alien . . . . .	" s.6.
British subject becoming alien not discharged from liability in respect of former acts . . . . .	" s.15.

## C.—RESUMPTION OF NATIONALITY.

Certificate of re-admission of statutory alien to British nationality . . . . .	" s.8.
" in case of widow being British-born subject, but rendered alien by marriage . . . . .	" s.10.
Oath of allegiance; taking of, by person re-admitted; form of and regulations as to . . . . .	" ss.8,9. 33-4V.c.102,s.1.
Confirmation of renunciation of naturalization in United States, under convention . . . . .	35-6V.c.39,s.2,Sch.

## D.—SUPPLEMENTAL.

Married women, national status of . . . . .	33-4V.c.14,s.10.
" " rights of, to property, previous to passing of Act of 1870, not affected thereby . . . . .	35-6V.c.39,s.3.
Children; effect on status of, of parent becoming alien, or being re-admitted to British nationality . . . . .	33-4V.c.14,s.10. 58-9V.c.43.
Power of Secretary of State to make regulations— as to declarations and certificates, and fees . . . . .	33-4V.c.14,s.11.
as to administration, etc., of oath of allegiance, and fees . . . . .	" c.102,s.1.
Evidence of declarations, certificates, and regulations . . . . .	" c.14,s.12.
Penalty for false declaration . . . . .	" c.102,s.2.

## 3. Miscellaneous.

Marriage of; outside United Kingdom. See MARRIAGE, I.	
Trial of, in British India for offences committed elsewhere. See CRIMINAL PROCEDURE (INDIAN), 8 (1).	
Execution of will of personal estate abroad. See DOMICILE.	
Retention of domicile for purpose of testate or intestate succession as to moveables by British subject resident and dying abroad. See DOMICILE.	
BROACH AND KAIRA INCUMBERED ESTATES ACT, { 1877 } See (INCUMBERED ESTATES, III) . . . . . { 1881 }	Act14,1877. Act21,1881
BROTHEL AND DISORDERLY HOUSE.	
Power of Magistrate to order discontinuance of; penalty . . . . .	{ 'Born Dist.)Bom.Act4, 1890,ss.41,50,67' (How)Act21,1857,ss.1,7' (Dom.town)Bom.Act4, 1902,ss.28,129. (Mad.City)Mad.Act3, 1888,s.52
Power of Commissioner of Police to order discontinuance of . . . . .	{

BROTHEL AND DISORDERLY HOUSE—*contd.*

Power of Magistrate or Commissioner of Police to order discontinuance of; penalty . . . . .

(Cal.) Ben. Act 4, 1866.  
ss 43, 43A, 43B (sub. Ben.  
Act 3, 1907, s. 2).  
(Cal. Sub.) Ben. Act 2,  
1866, ss. 17, 17A, 17B (sub.  
Ben. Act 3, 1907, s. 2).  
(Ran.) Bur. Act 1, 1899,  
ss 43A, 43B.

Power to suppress, in Bengal Municipalities and notified areas  
(except where Ben. Act 2, 1866, is in force) {

Ben. Act 3, 1906, s. 2.  
Ben. Act 3, 1907.

" " " in Bombay Municipalities and notified areas  
(if near cantonment or specially applied) }

Bom. Act 3, 1901, s. 153.

" " " in Burma Municipalities and notified areas  
(if specially applied) . . . . . }

Bur. Act 3, 1898, ss 181,  
181A.

Right to determine lease of house, etc., used as . . . . .

(Cal.) Ben. Act 4, 1866,  
s. 43B (ins. Ben. Act 3,  
1907, s. 2).  
(Cal. Sub.) Ben. Act 2, 1866,  
s. 17B (ins. Ben. Act 3,  
1907, s. 2).

Power to suppress, in Punjab Municipalities . . . . .

Act 20, 1891, s. 204.

*See also* BRITISH BALUCHISTAN, II, 6 (f), DISORDERLY HOUSE,  
MUNICIPALITY.

## BUILDINGS.

*See* CRIMINAL LAW (IND.), 12; GOVERNMENT BUILDINGS; PUBLIC BUILDINGS.

Superintendence, repair and maintenance of, by Board of  
Revenue. *See* ENDOWMENT.

Regulation of, in Aden . . . . .

Reg. 7, 1900, s. 13.

Regulation of, in bazars in British Baluchistan. *See* BRITISH  
BALUCHISTAN, II, 6 (f).

Regulation of, in municipalities

*See under* MUNICIPALITY (sub-heading "The Public  
health, Safety and Convenience").

Exemption of Government buildings from municipal regulations.

*See* MUNICIPALITY, I.

BUNDELKHAND ALIENATION OF LAND ACT, 1903 (*See*  
INCUMBERED ESTATES, VII, LAND (IND. LAW), K; LAND-REVENUE,  
XVI, LEGAL PRACTITIONER) . . . . . }

U.P. Act 2, 1903.

BUNDELKHAND INCUMBERED ESTATES ACT, 1903 (*See*  
COURT OF WARDS, F, INCUMBERED ESTATES, VII) . . . . . }

U.P. Act 1, 1903.

BURIAL BOARDS ACT (CALCUTTA), 1881. [*See* DISPOSAL OF  
THE DEAD, 1 (a)] . . . . . }

Ben. Act 5, 1881.

BURIAL. *See* DISPOSAL OF THE DEAD; REGISTRATION OF  
BIRTHS, ETC., A, 4.

BURMA BOUNDARIES ACT, 1880 (*See* BOUNDARIES AND  
SURVEY-MARKS) . . . . . }

Act 5, 1880.

BURMA BOUNDARIES ACT AMENDMENT ACT, 1895  
(*See* BOUNDARIES AND SURVEY MARKS) . . . . . }

Act 2, 1895.

BURMA BOUNDARIES ACT (1880) AMENDMENT ACT,  
1900. . . . . }

Bur. Act 3, 1909.

BURMA CANAL ACT, 1905 (*See* CANAL; DRAINAGE, III;  
IRRIGATION, II) . . . . . }

Bur. Act 2, 1905.

BURMA COAST LIGHTS ACT, 1879 (*See* MERCHANT SHIP-  
PING) . . . . . }

Act 9, 1879

BURMA DEFILE TRAFFIC ACT, 1907 (*See* NAVIGATION) . . . . . }

Bur. Act 8, 1907.

BURMA DISTRICT CESSSES AND RURAL POLICE ACT, 1880 ( <i>See</i> LOCAL RATES AND CESSSES, D; REGISTRATION OF BIRTHS, ETC.) . . . . .	Act2,1880.
BURMA EMBANKMENT ACT, 1877 ( <i>See</i> EMBANKMENT, II)	Act13,1877.
BURMA EMBANKMENT ACT, 1909 ( <i>See</i> EMBANKMENT, II) .	Bur.Act4,1909.
BURMA EXCISE LAW AMENDMENT ACT, 1904 ( <i>See</i> EXCISE) . . . . .	Bur.Act3,1904.
BURMA FERRIES ACT, 1898 ( <i>See</i> CANTONMENT; FERRY) .	Bur.Act2,1898.
BURMA FINANCIAL COMMISSIONER'S ACT, 1888 ( <i>See</i> FINANCIAL COMMISSIONER, BURMA) . . . . .	Act18,1888.
BURMA FISHERIES ACT, 1903 ( <i>See</i> FISHERY) . . . . .	Bur.Act3,1903.
BURMA FISHERIES (AMENDMENT) ACT, 1909 . . . . .	Bur.Act6,1909.
BURMA FOREST ACT, 1902. [ <i>See</i> FOREST, LAND (IND. LAW) E] . . . . .	Bur.Act4,1902.
BURMA FOREST ACT (AMENDMENT) ACT, 1906 . . . . .	Bur.Act4,1906.
BURMA FRONTIER TRIBES REGULATION, 1896 ( <i>See</i> FRONTIER) . . . . .	Reg.2,1896.
BURMA GAMBLING ACT, 1899 ( <i>See</i> CRIMINAL PROCEDURE (IND.); GAMING) . . . . .	Bur.Act1,1899.
BURMA GAMBLING ACT, 1903 . . . . .	Bur.Act1,1903.
BURMA GENERAL CLAUSES ACT, 1898 ( <i>See</i> ACTS AND REGULATIONS OF INDIAN LEGISLATURES; DEREGULATED TRACTS) . . . . .	Bur.Act1,1898.
BURMA HIGHWAY ACT, 1907. ( <i>See</i> HIGHWAY) . . . . .	Bur.Act5,1907.
BURMA LAND AND REVENUE ACT, 1876 [ <i>See</i> BOUNDARIES AND SURVEY-MARKS; CAPITATION TAX AND LAND RATE, ETC.; FOREST; LAND (IND. LAW), E; LAND-REVENUE, IX, MINES AND MINERALS; SALT] . . . . .	Act2,1876.
BURMA LAWS ACT, 1898 [ <i>See</i> ACTS AND REGULATIONS OF INDIAN LEGISLATURES; ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL, AGENCY, ALIEN; ANIMAL; APPRENTICE; ARAKAN HILLS; ARMS, AMMUNITION AND MILITARY STORES; BANK, BOUNDARIES AND SURVEY-MARKS, BURMA; CARRIER, COINAGE, II, 3; COMPANY; CONTRACT, COPYRIGHT; COURT-FEES, CRIMINAL LAW (IND.); CRIMINAL PROCEDURE (IND.); CRUELTY TO ANIMALS, DEREGULATED TRACTS; DESIGN; DISTRICT; DISTURBED DISTRICT; DIVISIONS; DRAMATIC PERFORMANCE; EVIDENCE, II; EXCISE; EXPLOSIVE; FOREIGN RECRUITING, FOREIGNER; FORFEITURE; GAME; GOVERNMENT SECURITIES; GUARDIAN AND WARD; HACKNEY CARRIAGE, INCOME-TAX; INDIAN MILITARY AND NAVAL FORCES, INFECTIOUS DISEASE; INLAND STEAM VESSELS, INVENTION, LAND (IND. LAW), LANDHOLDER; LAND-REVENUE, I; LEPER; LOAN, B; LUNATIC, MARRIAGE, II; MARRIED WOMAN, MATRIMONIAL CAUSES, MINORITY; NEGOTIABLE INSTRUMENT, OATH AND AFFIRMATION; OFFICIAL SECRET, OPIUM, PARTNERSHIP; PENSIONS AND GOVERNMENT GRANTS; POLICE, I, POST OFFICE (IND. LAW); PREVENTIVE RELIEF; PRINTING PRESSES AND PUBLICATIONS, PRISON; PROVIDENT FUND; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY; RATES AND CHARGES, RECORDS, REGISTRATION OF BIRTHS, ETC.; SALT, SCHEDULED DISTRICTS, SLAVERY; SMALL CAUSE COURTS, B; SOCIETY, SPECIFIC RELIEF; STATE PRISONER; SUCCESSION, TELEGRAPH; TOLLS; TORT; TRAMWAY, TREASURE TROVE; VACCINATION; VAGRANT; VALUATION OF SCOTS, VOLUNTEER; WEIGHTS AND MEASURES; YOUTHFUL OFFENDER] . . . . .	Act13,1898.

BURMA LAWS ACT, KACHIN HILL TRIBES REGULATION AND CHIN HILLS REGULATION AMENDMENT REGULATION, 1910 . . . . .	Reg.2,1910.
BURMA MILITARY POLICE ACT, 1887 ( <i>See</i> POLICE, IV) . . . . .	Act15,1887.
BURMA MILITARY POLICE ACT AMENDMENT ACT, 1899 . . . . .	Bur.Act3,1899.
BURMA MILITARY POLICE ACT AMENDMENT ACT, 1901 . . . . .	Bur.Act2,1901.
BURMA MOTOR-VEHICLES ACT, 1906 ( <i>See</i> MOTOR CARS AND CYCLES) . . . . .	Bur.Act2,1906.
BURMA MUNICIPAL ACT, 1898 ( <i>See</i> BROTHEL AND DISORDERLY HOUSE; DOG; MUNICIPALITY, X; POLICY OF INSURANCE) . . . . .	Bur.Act3,1898.
BURMA MUNICIPAL ACT AMENDMENT ACT, 1902 . . . . .	Bur.Act3,1902.
BURMA MUNICIPAL ACT AMENDMENT ACT, 1903 . . . . .	Bur.Act2,1903.
BURMA MUNICIPAL ACT (1898) AMENDMENT ACT, 1906 . . . . .	Bur.Act3,1906.
BURMA MUNICIPAL ACT AMENDMENT ACT, 1908 . . . . .	Bur.Act2,1908.
BURMA MUNICIPAL (AMENDMENT) ACT, 1909 . . . . .	Bur.Act2,1909.
BURMA OPIUM LAW (AMENDMENT) ACT, 1909 ( <i>See</i> OPIUM) . . . . .	Bur.Act7,1909.
BURMA PROCESS-FEES ACT, 1910 ( <i>See</i> LAND REVENUE, IX, X) . . . . .	Bur.Act1,1910.
BURMA PROHIBITION OF INOCULATION AND LICENSING OF VACCINATORS ACT, 1908 ( <i>See</i> VACCINATION). } . . . . .	Bur.Act6,1908.
BURMA REPEALING ACT, 1909 . . . . .	Bur.Act5,1909.
BURMA STEAM-BOILERS AND PRIME-MOVERS ACT, 1910 ( <i>See</i> STEAM-BOILERS AND PRIME-MOVERS). } . . . . .	Bur.Act2,1910.
BURMA TOWNS ACT, 1907 ( <i>See</i> ANIMAL C; CANTONMENT, DRAMATIC PERFORMANCE; INFECTIOUS DISEASE; MARCHING TROOPS; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; REGISTRATION OF BIRTHS, ETC.; STOLEN PROPERTY; TOWNS) } . . . . .	Bur.Act3,1907.
BURMA TOWNS ACT AMENDMENT ACT, 1908 . . . . .	Bur.Act3,1908.
BURMA VACCINATION LAW AMENDMENT ACT, 1909 ( <i>See</i> Vaccination). . . . .	Bur.Act.1,1909.
BURMA VILLAGE ACT, 1907. [ <i>See</i> ANIMAL C; CRIMINAL PROCEDURE (IND.); DRAMATIC PERFORMANCE, INFECTIOUS DISEASE; MARCHING TROOPS; POLICE, III; PUBLIC OFFICER; REGISTRATION OF BIRTHS, ETC.; STOLEN PROPERTY; TRAVELLER; VILLAGE; VILLAGE COURTS] . . . . .	Bur.Act6,1907.
BURMA VILLAGE LAW AMENDMENT ACT, 1902 . . . . .	Bur.Act1,1902.
BURMA.	
Transfer to Lieutenant-Governor of powers and duties of Chief Commissioner . . . . .	Act13,1898,s.15.
Laws; Act 13, 1898, extent of; not to affect special or local laws in Burma . . . . .	" s.1,2.
Law applicable to Burma (except Shan States) . . . . .	" s.13.
(1) Upper and Lower Burma:	
Defined . . . . .	" s.3(d),(f).
References in prior enactments to "British Burma Gazette" and "British Burma" or "Burma" to be construed as referring to the Burma Gazette and Lower Burma, respectively . . . . .	" s.7.

BURMA—*contd.*

(1) Upper and Lower Burma—*contd.*

Power to transfer territory from Upper Burma to Lower Burma and <i>vice versa</i> : effect of transfer on operation of Scheduled Districts Act, 1874 . . . . .	Act 13, 1898, s. 14.
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(2) Upper Burma :

Power to vary divisions, districts, sub-divisions, townships and circles . . . . .	„ s. 5.
What enactments to be in force in Upper Burma generally (except the Shan States) ; no other enactments passed before Act 13, 1898, to apply unless extended . . . . .	„ s. 4, Sch. 1.
Acts 8 of 1851 and 1 of 1872 modified in Upper Burma (except the Shan States) . . . . .	„ s. 4(3).
Power for Courts to construe enactments with necessary alterations . . . . .	„ s. 6.

*See also* CHIN HILLS ; KACHIN HILLS.

(3) The Shan States in Upper Burma :

Power to declare what territories included in . . . . .	„ s. 10(3)
„ extend enactments to, and to modify them . . . . .	„ s. 10(1). (am Reg. 2, 1910, s. 2).
No enactment to be in force in, unless extended under Act 13, 1898, s. 10 (1), or made applicable by special mention . . . . .	„ s. 10(2).
Act 6, 1900, s. 8 (jurisdiction over European British subjects), declared in force in . . . . .	Act 6, 1900, s. 8(1).
Administration (civil, criminal and revenue) of, by their own Chiefs and under their own laws ; intervention of Local Government of Burma . . . . .	Act 13, 1898, ss. 11, 12.

(4) Lower Burma :

Ben. Reg. 3, 1818 ; extension of, to . . . . .	„ s. 8.
Conferment of magisterial and other powers on police-officers in Salween District . . . . .	„ s. 9.

*See* ARAKAN HILLS.

*For further provisions enacted specially for Burma, see the appropriate heads.*

BUSTEE

In Calcutta, control over. *See* MUNICIPALITY, *Sub heading* Calcutta, 6.

BYE-LAWS.

Construction of *See* ACTS OF PARLIAMENT, 1 ; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1

Publication of. *See* ACTS AND REGULATIONS, ETC., 1.

CALCUTTA BURIAL BOARD'S ACT, { 1881 } (See DISPOSAL OF THE DEAD) . . . . .	Ben. Act 5, 1881. Ben. Act 4, 1889.
CALCUTTA HACKNEY CARRIAGE ACT, 1891. (See CARRIAGE ; HACKNEY CARRIAGE ; PALANQUIN, STAGE CARRIAGE) . . . . .	Ben. Act 2, 1891.
CALCUTTA LAND-REVENUE ACT, 1850. (See CONTENT ; LAND-REVENUE, IV) . . . . .	Act 23, 1850.
CALCUTTA LAND-REVENUE ACT, 1853 (See LAND-REVENUE, IV) . . . . .	Act 18, 1853.



CALCUTTA MUNICIPAL ACT, 1899. (See HACKNEY CARRIAGE; HOWRAH; MUNICIPALITY, VI, VII; WEIGHTS AND MEASURES)	Ben. Act 3, 1899.
CALCUTTA PILOTS ACT, 1859. (See MERCHANT SHIPPING)	Act 12, 1859.
CALCUTTA PILOTS (AMENDMENT) ACT, 1883	Act 6, 1883.
CALCUTTA POLICE ACT, 1866. [See ANIMAL B, BEGGAR; BROTHEL AND DISORDERLY HOUSE; CRIMINAL PROCEDURE (IND.); DOG; EXCISE; EXPLOSIVE; FIRE, II; GAMING; HOSPITAL; INDIAN MILITARY AND NAVAL FORCES; INFANT; MERCHANT SHIPPING; MUSIC; NUISANCE; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; POLICE, I; PORTERS, PRISON; STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY; WEIGHTS AND MEASURES]	Ben. Act 4, 1866.
CALCUTTA POLICE ACT, 1898. (See POLICE, I)	Ben. Act 1, 1898.
CALCUTTA POLICE (AMENDMENT) ACT, 1876	Ben. Act 2, 1876.
CALCUTTA PORT ACT, 1890. [See CUSTOMS (SEA); PORT; PORT COMMISSIONER, ETC.]	Ben. Act 3, 1890.
CALCUTTA PORT (AMENDMENT) ACT, .	1894 . . . . . Ben. Act 2, 1894. 1895 . . . . . Ben. Act 6, 1895. 1898 . . . . . Ben. Act 2, 1898. 1903 . . . . . Ben. Act 4, 1903. 1907 . . . . . Ben. Act 2, 1907. 1908 . . . . . Ben. Act 1, 1908. 1910 . . . . . Ben. Act 1, 1910.
CALCUTTA SUBURBAN POLICE ACT, 1866. [See BEGGARS; BROTHEL AND DISORDERLY HOUSE; CRIMINAL PROCEDURE (IND.); DOG; EXCISE; EXPLOSIVE; FIRE, II, MUSIC; NUISANCE; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; POLICE, I; PORTERS, STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY]	Ben. Act 2, 1866.
CALCUTTA AND SUBURBAN POLICE (AMENDMENT) ACT, { 1886 . . . . . 1895 . . . . . 1910 . . . . .	Ben. Act 2, 1886. Ben. Act 2, 1895. Ben. Act 3, 1910.
CALCUTTA AND SUBURBAN POLICE (AMENDMENT) ACT, 1907. (See BROTHEL AND DISORDERLY HOUSE, DISORDERLY HOUSE)	Ben. Act 3, 1907.
CALCUTTA AND SUBURBAN POLICE (SUPERANNUATION FUND) ACT, 1905. (See POLICE, I)	Ben. Act 6, 1905.
CALCUTTA SURVEY ACT, 1887. (See SURVEY OF LAND)	Ben. Act 1, 1887.
CALCUTTA TRAMWAYS ACT, { 1880 } (See TRAMWAYS CON- 1894 } STRUCTED UNDER SPECIAL AGREEMENT)	Ben. Act 1, 1880. Ben. Act 3, 1894.
CALCUTTA TRAMWAYS (AMENDMENT) ACT, 1884. (See TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT).	Ben. Act 2, 1884.
CALCUTTA TRAMWAYS (ELECTRIC TRACTION) ACT, 1900 (See TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT)	Ben. Act 4, 1900.
CALCUTTA UNIVERSITY ACT, 1857. (See UNIVERSITY)	Act 2, 1857.

CANALS ACT, 1864. ( <i>See</i> CANAL, II ; TOLLS).	Ben. Act 5, 1864.
CANAL AND DRAINAGE ACT (NORTHERN INDIA), 1873. } ( <i>See</i> CANAL ; DRAINAGE ; IRRIGATION) . . . . }	Act 8, 1873.
CANALS AND PUBLIC FERRIES ACT, 1890. ( <i>See</i> CANAL ; } FERRY ; LOCAL SELF-GOVERNMENT, VII ; MUNICIPALITY, XIII }	Mad. Act 2, 1890

CANAL.

1864. Ben. Act 5 (Canals).	1889. Reg. 3 (Land and Revenue, Burma).
1873. Act 8, ss. 3, 49 to 54, 67, 69 to 75 (Canals and Drainage, Central Provinces, N.-W. Provinces, Oudh, Punjab).	1890. Mad. Act 2, ss. 3 to 7, 11 to 20 (Canals and Ferrics)
1882. Ben. Act 2, s. 91 (Embankment)	1903. Bur. Act 2 (Canals).
1884. Ben. Act 3, ss. 171, 172 (Municipality).	„ Mad. Act 3, s. 2 (Land Encroachment).

GENERALLY—

I.—AJMERE AND BOMBAY PRESIDENCY.

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

III.—BURMA . . . . . }	1. Preliminary. 2. Navigation of Canal. 3. Maintenance of Canal. 4. Supplemental.
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IV.—UPPER BURMA

V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

VI.—MADRAS PRESIDENCY.

GENERALLY.

Decision by Magistrate of disputes between employers and workmen engaged on construction of canal *See* PUBLIC WORKS

*See also* DRAINAGE ; ELECTRICITY, 2 ; IRRIGATION.

I.—AJMERE AND BOMBAY PRESIDENCY.

*See* IRRIGATION, I, IV

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL

Definitions . . . . .	Ben Act 5, 1864, s. 1.
Power to apply Act to navigable channels . . . . .	„ s. 2.
Making, improvement, etc., of navigable channels, and application of Act to channels so dealt with . . . . }	ss. 3, 4.
Tolls on vessels navigating channels :	
Levy, collection and recovery of . . . . .	„ ss. 5 to 9.
Penalty for evasion of . . . . .	„ s. 10.
Making and publishing of rules for management, etc., of navigable channels ; penalties for breach of rules . . }	„ ss. 11, 12.
Appointment and powers of supervisor . . . . .	„ ss. 13 to 15.
Penalty for obstructing channel, etc. . . . .	Ben Act 5, 1864, s. 16.
Place of trial of offenders . . . . .	„ s. 14.
Collection of tolls by Municipal Commissioners . . . }	Ben. Act 3, 1884, ss. 171, 172.

CANAL—*contd.*

Bengal Embankment Act, 1882, not to apply to land, etc., which are subject to Ben. Act 5, 1864 . . . . .	Ben. Act 2, 1882, s. 91.
<i>See also</i> EAST INDIA IRRIGATION AND CANAL COMPANY; IRRIGATION, III.	

## III—BURMA

## 1. Preliminary.

Bur. Act 2, 1905, extends to whole of Burma including the Shan States	Bur. Act 2, 1905, s. 1(2).
Definitions . . . . .	" s. 3.
Appointment of officers, etc. . . . .	" s. 5.

## 2. Navigation of Canal.

Tolls to be levied . . . . .	Bur. Act 2, 1905, ss. 4, 52.
Removal and detention of vessels violating rules or causing danger; recovery of expenses from owner . . . . .	" 53.
Detention of vessel for recovery of toll or charge; seizure of cargo or goods carried in Government vessel, etc., for recovery of charge due to Government; sale of vessel, etc. . . . .	" ss. 54 to 56, 58.
Sale of abandoned vessels and unclaimed goods . . . . .	" ss. 57, 58.

## 3. Maintenance of Canal.

*See* DRAINAGE, III; IRRIGATION, II.

## 4. Supplemental.

Jurisdiction of Civil Courts in respect of claims against Government for things done under Act . . . . .	Bur. Act 2, 1905, s. 72.
Offences and penalties; recovery of fines; arrest without warrant . . . . .	" ss. 75 to 78.
Making and publishing of rules; penalty for breach of rule . . . . .	" s. 79.

## IV.—UPPER BURMA

Tolls imposed for navigation of canals, provision for recovery of; bar to jurisdiction of Civil Courts . . . . .	Reg 3, 1889, ss. 37 to 46, s. 53(ix).
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*See also* IRRIGATION, II.

## V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . .	Act 8, 1873, ss. 3, 74.
Detention of vessel violating rules, and recovery of damages for injury done to canal . . . . .	" ss. 49 to 53.
Sale of abandoned vessels and unclaimed goods . . . . .	" s. 54.
Jurisdiction of Civil Courts . . . . .	" s. 67.
Procedure; penalties; making of rules . . . . .	" ss. 69 to 73, 75.

*See also* IRRIGATION, V.

## VI.—MADRAS PRESIDENCY.

Definitions . . . . .	Mad. Act 2, 1890, s. 3.
Power to declare lines of navigation to be subject to Act . . . . .	" s. 4.
Vessels using canal to be licensed or registered; penalty . . . . .	" ss. 5, 18.

CANAL—*contd.*VI.—MADRAS PRESIDENCY—*contd.*

## Power to—

- fix fees for licensing or registration of vessels . . . . .
- establish stations for levy of tolls . . . . .
- fix rates of tolls and of fees for use of public landing-places, etc. . . . .

Mad. Act 2, 1890, s. 6.

- Power for authorised persons to suspend or cancel license or registration, impose penalties, remove sunken vessels, etc., prohibit construction of contrivance for fishing, and stop and detain vessels . . . . .

s. 7.

- Power to assign management of canal to Local Board or Municipal Council . . . . .

" s. 11.

- Collection or leasing of fees and tolls . . . . .

" s. 12.

- Recovery of dues . . . . .

" s. 14.

- Form and conditions of licenses and registration . . . . .

" s. 15.

- Rules: power to make; penalty for breach of . . . . .

" ss. 16, 17.

- Penalty for evasion of, or unauthorised collection of, toll or fee . . . . .

" s. 17.

- Confiscation of vessel, etc., on conviction of offence . . . . .

" s. 20.

- Canals when deemed to be property of Government . . . . .

Mad. Act 3, 1905, s. 2.

*See also* LAND (INDIAN LAW), H; MADRAS IRRIGATION AND CANAL COMPANY.

CANTONMENTS ACT, 1910 [See ANIMAL, A; CANTONMENT; CRUELTY TO ANIMALS; DISPOSAL OF THE DEAD; GIFT; INFECTIOUS DISEASE; LAND (IND. LAW); LEASE; MORTGAGE; MUNICIPALITY, I; NUISANCE; POLICE, II; REGISTRATION OF BIRTHS, ETC.; REGISTRATION OF DOCUMENTS; SALE; SMALL CAUSE COURTS, B; WATER].

Act 15, 1910.

## CANTONMENT.

[<sup>1</sup>] 1869. Act 5, Pt. I (f) (Indian Articles of War).

1876. Ben. Act 5, s. 5 (Municipalities, Assam).\*

1878. Bom. Act 5, s. 61 (Excise, Bombay).

1883. Act 1, ss. 3, 4 (Local Self-Government, Central Provinces).

" Act 20, ss. 9, 10, 24, 54 (Local Self-Government, Punjab).

1884. Ben. Act 3, ss. 5, 9, 37A, 66A (Municipalities, Assam and Bengal).

" Bom. Act 1, ss. 4, 36, 47, 48 (Local Self-Government, Bombay).

1885. Ben. Act 3, ss. 4, 30, 136, 137 (Local Self-Government, Bengal).

" Act 8, s. 116 (Tenancy, Bengal).

1896. Act 17, s. 10 (Morar Cantonment).

" Reg. 5, ss. 3, 26, 154 (Municipalities, Ajmere).

" Reg. 6, s. 3 (Local Self-Government, Ajmere).

1899. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).

1891. Act 20, ss. 4, 27, 143, 183, 191 (Municipalities, Punjab).

" Ben. Act 2, s. 4 (Hackney-carriages and Palanquins).

1891. U. P. Act 1, s. 6 (Water-supply).

1896. Act 12, ss. 62, 63 (Excise, Northern India, etc.).

1898. Bur. Act 3, ss. 3, 32, 188 (Municipalities, Burma).

1899. U. P. Act 2 (Collection of Taxes).

1900. Reg. 7, s. 1 (Settlement, Aden).

" U. P. Act 1, ss. 4, 6, 34, 188 (Municipalities).

1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bom. District).

" Reg. 3, s. 29 (Frontier Crimes).

" Reg. 7, s. 3 (Laws, N.-W. Fr.).

1903. Act 16, ss. 2, 3, 23 (Municipalities, Central Prov.).

1903. Ben. Act 3 (Smoke Nuisances).

" P. Act 2, s. 7 (Pre-emption).

1906. Reg. 2 (Pre-emption, N.-W. Fr.).

[<sup>1</sup>] Act 5, 1869, will be repealed on the coming into force of Act 5, 1911.

CANAL—*contd.*

Bengal Embankment Act, 1882, not to apply to land, etc., which are subject to Ben. Act 5, 1864 . . . . . }	Ben. Act 2, 1882, s. 91.
<i>See also</i> EAST INDIA IRRIGATION AND CANAL COMPANY; IRRIGATION, III.	

## III—BURMA

## 1. Preliminary.

Bur. Act 2, 1905, extends to whole of Burma including the Shan States . . . . .	Bur. Act 2, 1905, s. 1(2).
Definitions . . . . .	" s. 3.
Appointment of officers, etc. . . . .	" s. 5.

## 2. Navigation of Canal.

Tolls to be levied . . . . .	Bur. Act 2, 1905, ss. 4, 52.
Removal and detention of vessels violating rules or causing danger; recovery of expenses from owner . . . . . }	" 53.
Detention of vessel for recovery of toll or charge; seizure of cargo or goods carried in Government vessel, etc., for recovery of charge due to Government; sale of vessel, etc. . . . . }	" ss. 54 to 56, 58.
Sale of abandoned vessels and unclaimed goods . . . . .	" ss. 57, 58.

## 3 Maintenance of Canal.

*See* DRAINAGE, III; IRRIGATION, II.

## 4. Supplemental.

Jurisdiction of Civil Courts in respect of claims against Government for things done under Act . . . . . }	Bur. Act 2, 1905, s. 72.
Offences and penalties; recovery of fines; arrest without warrant . . . . . }	" ss. 75 to 78.
Making and publishing of rules; penalty for breach of rule . . . . .	" s. 79.

## IV.—UPPER BURMA.

Tolls imposed for navigation of canals, provision for recovery of; bar to jurisdiction of Civil Courts . . . . . }	Reg 3, 1889, ss. 37 to 46. s 53(ix).
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*See also* IRRIGATION, II.

## V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . .	Act 8, 1873, ss 3, 74.
Detention of vessel violating rules, and recovery of damages for injury done to canal . . . . . }	" ss. 49 to 53.
Sale of abandoned vessels and unclaimed goods . . . . .	" s. 54.
Jurisdiction of Civil Courts . . . . .	" s 67.
Procedure; penalties; making of rules . . . . . }	" ss. 69 to 73. 75.
<i>See also</i> IRRIGATION, V.	

## VI.—MADRAS PRESIDENCY.

Definitions . . . . .	Mad. Act 2, 1890, s 3.
Power to declare lines of navigation to be subject to Act . . . . .	" s 4.
Vessels using canal to be licensed or registered; penalty . . . . .	" ss. 5, 18.

CANAL—*contd.*VI.—MADRAS PRESIDENCY—*contd.*

## Power to—

fix fees for licensing or registration of vessels . . . . .	} Mad. Act 2, 1890, s. 6.
establish stations for levy of tolls . . . . .	
fix rates of tolls and of fees for use of public landing-places, etc. . . . .	

Power for authorised persons to suspend or cancel license or registration, impose penalties, remove sunken vessels, etc., prohibit construction of contrivance for fishing, and stop and detain vessels . . . . .	} s. 7.

Power to assign management of canal to Local Board or Municipal Council . . . . .	} " s. 11.

Collection or leasing of fees and tolls . . . . .	" s. 12.
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Recovery of dues . . . . .	" s. 14.
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Form and conditions of licenses and registration . . . . .	" s. 15.
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Rules power to make; penalty for breach of . . . . .	" ss. 16, 17.
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Penalty for evasion of, or unauthorised collection of, toll or fee . . . . .	" s. 17.
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Confiscation of vessel, etc., on conviction of offence . . . . .	" s. 20.
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Canals when deemed to be property of Government . . . . .	Mad. Act 3, 1903, s. 2.
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*See also* LAND (INDIAN LAW), II; MADRAS IRRIGATION AND CANAL COMPANY.

CANTONMENTS ACT, 1910 [See ANIMAL, A; CANTONMENT; CRUELTY TO ANIMALS; DISPOSAL OF THE DEAD; GIFT; INFECTIOUS DISEASE; LAND (IND. LAW); LEASE; MORTGAGE; MUNICIPALITY, I; NUISANCE; POLICE, II; REGISTRATION OF BIRTHS, ETC.; REGISTRATION OF DOCUMENTS; SALE; SMALL CAUSE COURTS, B; WATER].	Act 15, 1910.
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## CANTONMENT.

[1] 1869. Act 5, Pt. I (f) (Indian Articles of War).	1891. Act 20, ss. 4, 27, 143, 183, 191 (Municipalities, Punjab).
1876. Ben. Act 5, s. 5 (Municipalities, Assam).	" Ben. Act 2, s. 4 (Hackney-carriages and Palanquins).
1878. Bom. Act 5, s. 61 (Excise, Bombay).	1891. U. P. Act 1, s. 6 (Water-supply).
1883. Act 1, ss. 3, 4 (Local Self-Government, Central Provinces).	1896. Act 12, ss. 62, 63 (Excise, Northern India, etc.).
" Act 20, ss. 9, 10, 24, 54 (Local Self-Government, Punjab).	1898. Bur. Act 3, ss. 3, 32, 188 (Municipalities, Burma).
1884. Ben. Act 3, ss. 5, 9, 37A, 66A (Municipalities, Assam and Bengal).	1899. U. P. Act 2 (Collection of Taxes).
" Bom. Act 1, ss. 4, 36, 47, 48 (Local Self-Government, Bombay).	1900. Reg. 7, s. 1 (Settlement, Aden).
1893. Ben. Act 3, ss. 4, 30, 136, 137 (Local Self-Government, Bengal).	" U. P. Act 1, ss. 4, 6, 38, 188 (Municipalities).
" Act 8, s. 116 (Tenancy, Bengal).	1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bom. District).
1896. Act 17, s. 10 (Morar Cantonment).	" Reg. 3, s. 29 (Frontier Crimes).
" Reg. 5, ss. 3, 26, 154 (Municipalities, Ajmere).	" Reg. 7, s. 3 (Laws, N. W. Fr.).
" Reg. 6, s. 3 (Local Self-Government, Ajmere).	1903. Act 16, ss. 2, 3, 23 (Municipalities, Central Prov.).
1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).	1905. Ben. Act 3 (Smoke Nuisances).
	" P. Act 2, s. 7 (Pre-emption).
	1906. Reg. 2 (Pre-emption, N. W. Fr.).

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1917.

CANAL—*contd.*

Bengal Embankment Act, 1882, not to apply to land, etc., which are subject to Ben. Act 5, 1864 . . . . .	Ben. Act 2, 1882, s. 91.
<i>See also</i> EAST INDIA IRRIGATION AND CANAL COMPANY; IRRIGATION, III.	

## III.—BURMA

## 1. Preliminary.

Bur. Act 2, 1905, extends to whole of Burms including the Shan States . . . . .	Bur. Act 2, 1905, s. 1(2).
Definitions . . . . .	" s. 3.
Appointment of officers, etc. . . . .	" s. 5.

## 2. Navigation of Canal.

Tolls to be levied . . . . .	Bur. Act 2, 1905, ss. 4, 52.
Removal and detention of vessels violating rules or causing danger; recovery of expenses from owner . . . . .	" 53.
Detention of vessel for recovery of toll or charge; seizure of cargo or goods carried in Government vessel, etc., for recovery of charge due to Government; sale of vessel, etc. . . . .	" ss. 54 to 56, 58.
Sale of abandoned vessels and unclaimed goods . . . . .	" ss. 57, 58.

## 3. Maintenance of Canal.

*See* DRAINAGE, III; IRRIGATION, II.

## 4. Supplemental.

Jurisdiction of Civil Courts in respect of claims against Government for things done under Act . . . . .	Bur. Act 2, 1905, s. 72.
Offences and penalties; recovery of fines; arrest without warrant . . . . .	" ss. 75 to 78.
Making and publishing of rules; penalty for breach of rule . . . . .	" s. 79.

## IV.—UPPER BURMA.

Tolls imposed for navigation of canals, provision for recovery of; bar to jurisdiction of Civil Courts . . . . .	Reg. 3, 1889, ss. 37 to 46. s. 53(ix).
<i>See also</i> IRRIGATION, II.	

## V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . .	Act 8, 1873, ss. 3, 74.
Detention of vessel violating rules, and recovery of damages for injury done to canal . . . . .	" ss. 49 to 53.
Sale of abandoned vessels and unclaimed goods . . . . .	" s. 54.
Jurisdiction of Civil Courts . . . . .	" s. 67.
Procedure; penalties; making of rules . . . . .	" ss. 69 to 73. 75.
<i>See also</i> IRRIGATION, V.	

## VI.—MADRAS PRESIDENCY.

Definitions . . . . .	Mad. Act 2, 1890, s. 3.
Power to declare lines of navigation to be subject to Act . . . . .	" s. 4.
Vessels using canal to be licensed or registered; penalty . . . . .	" ss. 5, 18.

CANAL—*contd.*

VI.—MADRAS PRESIDENCY—*contd.*

Power to—

- fix fees for licensing or registration of vessels . . . . .
- establish stations for levy of tolls . . . . .
- fix rates of tolls and of fees for use of public landing-places, etc. . . . .

Mad. Act 2, 1890, s. 6.

- Power for authorised persons to suspend or cancel license or registration, impose penalties, remove sunken vessels, etc., prohibit construction of contrivance for fishing, and stop and detain vessels . . . . .

s. 7.

- Power to assign management of canal to Local Board or Municipal Council . . . . .

„ s. 11.

- Collection or leasing of fees and tolls . . . . .

„ s. 12.

- Recovery of dues . . . . .

„ s. 14.

- Form and conditions of licenses and registration . . . . .

„ s. 15.

- Rules: power to make; penalty for breach of . . . . .

„ ss. 16, 17.

- Penalty for evasion of, or unauthorised collection of, toll or fee . . . . .

„ s. 17.

- Confiscation of vessel, etc., on conviction of offence . . . . .

„ s. 20.

- Canals when deemed to be property of Government . . . . .

Mad. Act 3, 1905, s. 2.

See also LAND (INDIAN LAW), H; MADRAS IRRIGATION AND CANAL COMPANY.

CANTONMENTS ACT, 1910 [See ANIMAL, A; CANTONMENT; CRUELTY TO ANIMALS; DISPOSAL OF THE DEAD; GIFT; INFECTIOUS DISEASE; LAND (IND. LAW); LEASE; MORTGAGE; MUNICIPALITY, I; NUISANCE; POLICE, II; REGISTRATION OF BIRTHS, ETC.; REGISTRATION OF DOCUMENTS; SALE; SMALL CAUSE COURTS, B; WATER].

Act 15, 1910.

CANTONMENT.

- [1] 1869. Act 5, Pt. I (f) (Indian Articles of War).
- 1876. Ben. Act 5, s. 5 (Municipalities, Assam).
- 1878. Bom. Act 5, s. 61 (Excise, Bombay).
- 1883. Act 1, ss. 3, 4 (Local Self-Government, Central Provinces).
- „ Act 20, ss. 9, 10, 24, 54 (Local Self-Government, Punjab).
- 1884. Ben. Act 3, ss. 5, 9, 37A, 66A (Municipalities, Assam and Bengal).
- „ Bom. Act 1, ss. 4, 36, 47, 48 (Local Self-Government, Bombay).
- 1885. Ben. Act 3, ss. 4, 30, 136, 137 (Local Self-Government, Bengal).
- „ Act 8, s. 116 (Tenancy, Bengal).
- 1886. Act 17, s. 10 (Morar Cantonment).
- „ Reg. 5, ss. 3, 26, 154 (Municipalities, Ajmere).
- „ Reg. 6, s. 3 (Local Self-Government, Ajmere).
- 1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).

- 1891. Act 20, ss. 4, 27, 143, 183, 194 (Municipalities, Punjab).
- „ Ben. Act 2, s. 4 (Hackney-carriages and Palanquins).
- 1891. U. P. Act 1, s. 6 (Water-supply).
- 1896. Act 12, ss. 62, 63 (Excise, Northern India, etc.).
- 1898. Bur. Act 3, ss. 3, 32, 188 (Municipalities, Burma).
- 1899. U. P. Act 2 (Collection of Taxes).
- 1900. Reg. 7, s. 1 (Settlement, Aden).
- „ U. P. Act 1, ss. 4, 6, 38, 188 (Municipalities).
- 1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bom. District).
- „ Reg. 3, s. 29 (Frontier Crimes).
- „ Reg. 7, s. 3 (Laws, N.-W. Fr.).
- 1903. Act 16, ss. 2, 3, 23 (Municipalities, Central Prov.).
- 1903. Ben. Act 3 (Smoke Nuisances).
- „ P. Act 2, s. 7 (Pre-emption).
- 1906. Reg. 2 (Pre-emption, N.-W. Fr.).

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1911.



CANTONMENT—*contd.*

1906. U. P. Act 3, s. 28 (District Boards).	1910. Act 15 (Cantonments).
1907. Reg. 2, ss. 3, 23 (Municipalities, Coorg).	" E. B. & A. Act 1, s. 7 (Excise).
" Bur. Act 3, s. 4 (Towns, Burma).	" U. P. Act 4, s. 8 (Excise).
1909. Ben. Act 5, s. 6 (Excise).	" Reg. 5, ss. 3, 25 (Bazar, Br. Bal.).

## 1. Administration.

## 2. Excise.

## 3. Taxation and Cantonment Fund.

## 4. Miscellaneous.

## 1. Administration

Act 15, 1910, extends to whole of British India . . . . .	Act 15, 1910, s. 1.
Power to declare place to be cantonment, and to define limits of cantonment . . . . .	" s. 3.
Cantonment not to be included in area subject to Local Board, etc. . . . .	(C.P.) Act 1, 1883, ss. 3, 4. (N.-W.F.&P.) Act 20, 1883, s. 10. (Ben. & E. B.) Ben. Act 3, 1885, s. 4. Bom Act 1, 1884, s. 4. (A.) Reg. 6, 1886, s. 3. (A.) Reg. 5, 1886, ss. 3, 154. (As.) Ben. Act 5, 1876, s. 5. (Ben. & E. B. & A.) Ben. Act 3, 1884, ss. 5, 9. (Bur.) Bur. Act 3, 1898, s. 3(1).
" " " municipality, except with consent of Government of India . . . . .	(C.P.) Act 16, 1903, s. 3. (Co.) Reg. 2, 1907, s. 3. (N.-W.F.&P.) Act 20, 1891, ss. 4, 194. (U.P.) Act 1, 1891, s. 6. (U.P.) U. P. Act 1, 1900, ss. 4, 6.
" " " bazar, except with consent of Government of India . . . . .	Reg. 5, 1910, s. 3(1).
" " " declared a town for purposes of Burma Towns Act, 1907, except with consent of Government of India . . . . .	Bur. Act 3, 1907, s. 4.
Sanction of Governor General in Council required to—	
extension of Ben. Act 2, 1891 (Hackney-carriages and Palanquins), to cantonment . . . . .	Ben. Act 2, 1891, s. 4.
extension of Bengal Smoke Nuisances Act to cantonment . . . . .	Ben Act 3, 1905, s. 2(1), proviso. (A.) Reg. 5, 1886, s. 154. (Ben. & E. B. & A.) Ben. Act 3, 1884, s. 9. (C.P.) Act 16, 1903, s. 3. (Co.) Reg. 2, 1907, s. 3. (N.-W.F.&P.) Act 20, 1891, s. 194. (U.P.) U. P. Act 1, 1910, s. 188.
Cantonment not to be excluded from municipality, except with consent of Government of India . . . . .	Act 3, 1885, s. 116. (am. Ben. Act 1, 1907, s. 40; E. B. & A. Act 1, 1908, s. 40).
V of Bengal Tenancy Act, 1885, not to confer right of occupancy in, and Ch. V thereof (non-occupancy riyats) not to apply to, Government lands in cantonments . . . . .	

### 1. Administration—*contd.*

		(A.)Reg.5,1886,s.26. (Ben.&E.B.&A.)Ben.Act 3,1884,s.37A. (Ben.&E.B.)Ben.Act3, 1885,s.30. (Bom.)Bom.Act1,1881,s.30. Bom.Act3,1901,s.39. (Bur.)Bur.Act3,1898, s.32. (C.P.)Act16,1903,s.23. (Co.)Reg.2,1907,s.23. Act20, 1883,s.24. (N.-W.F.&P.) Act20, 1891,ss.27, 183. (U.P.) U.P.Act3,1906, s.28. U.P.Act1,1900, s.38. (A.)Reg.5,1886,s.26(2). (Ben.&E.B.&A.)Ben.Act 3,1884,s.66A. Ben.Act3, 1885,ss.136,137. (Bom.)Bom.Act1,1881,s.36. Bom.Act3,1901,s.39. (Bur.)Bur.Act3,1898, s.188. (C.P.)Act16,1903,s.23. (Co.)Reg.2,1907,s.23(2). Act20, 1883,s.54. (N.-W.F.&P.) Act20, 1891,s.183. (U.P.) U.P.Act1,1900, s.38(2). U.P.Act3,1906, s.28(2). Reg.7,1900,s.1. Act15,1910,s.27. " s.4. " s.5. " s.5(1). " s.24(1). " s.24(1). " See also LOCAL AUTHORITY.
Appointment, etc., of Joint Committee consisting of Cantonment Authority and another Local Authority . . . . .		
Settlement of differences of opinion between Cantonment Authority and another Local Authority . . . . .		
Reg. 7, 1900 (Aden Settlement), not to extend to cantonments . . . . .		
Presidency-town : Local Government to appoint authority to discharge functions in cantonment situate in . . . . .		
Cantonment Authority required for every cantonment beyond Presidency-town . . . . .		
" " to be Cantonment Committee, or Commanding Officer of Cantonment ; Local Government to determine whether Committee is to be constituted . . . . .		
" " is a "Local Authority" . . . . .		
" " rules for constitution, functions, proceedings and division of duties of Cantonment Committees . . . . .		
" " rules for functions of Commanding Officer where no Committee . . . . .		
" " See also LOCAL AUTHORITY.		

CANTONMENT—*contd.*I. Administration—*contd.*

Cantonment Magistrate required for every cantonment beyond Presidency-town . . . . .	Act 15, 1910, s. 4.
" " appointment and subordination of . . . . .	" s. 6.
" " rules for duties of . . . . .	" s. 21(6).
Court of Small Causes; suits cognizable by . . . . .	" ss. 7, 8.
" " " continuance of jurisdiction notwithstanding reduction of jurisdiction of Judge . . . . .	" s. 9.
Police-force deemed part of general police-establishment under Local Government . . . . .	" s. 10(1).
" cantonment deemed a " town " for purposes of s. 34, Act 5, 1861 (arrest and punishment for certain offences on roads, etc.) . . . . .	" s. 10(2).
" maintenance of, a first charge on Cantonment Fund . . . . .	" s. 19(2).
Indian Articles of War not to affect Magistrates or police in cantonment . . . . .	[1] Act 5, 1869, Pt. I, cl. (f).
Power to extend municipal enactments to, with restrictions and modifications . . . . .	Act 15, 1910, s. 23.
Power to make rules for administration of; penalties for breach . . . . .	" ss. 24, 25.
" extend such enactments and rules to places beyond cantonment . . . . .	" s. 26.
Vaccination . . . . .	See VACCINATION, I.
Protection of game. . . . .	See GAME.
Hackney-carriages. . . . .	See HACKNEY-CARRIAGE.
Levy in cantonment of tax under Bombay Highway Act, 1883, or contribution from funds of cantonment for objects of that Act. . . . .	See TAXES.

See POISON

## 2. Excise.

Liquor and intoxicating drugs:

Control of Commanding Officer over grant and continuance of licenses for—	
manufacture of spirit or sale of spirit or fermented liquor . . . . .	Act 15, 1910, ss. 11 to 14.
" or sale of spirituous or fermented liquor or intoxicating drugs (other than opium) . . . . .	
Application of certain Excise Acts to cantonments . . . . .	Act 12, 1896, s. 62.
Cantonments Act not affected by Bombay Excise Act . . . . .	Ben. Act 5, 1909, s. 21.
" " " " Bengal Excise Act . . . . .	U.P. Act 4, 1910, s. 23.
" " " " United Provinces Excise Act . . . . .	E B. & A. Act 1, 1910, s. 20.
" " " " Eastern Bengal and Assam Excise Act . . . . .	Act 12, 1896, s. 63.
	Bom. Act 5, 1878, s. 61.
	Ben. Act 5, 1909, s. 6.
	U.P. Act 4, 1910, s. 8.
	E. B. & A. Act 1, 1910, s. 7.

[1] Act 5, 1869, with Le repealed on the coming into force of Act 8, 1911.

CANTONMENT—*contd.*

## 3. Taxation and Cantonment Fund.

Taxation; power to introduce, abolish and modify municipal taxes . . . . .	Act 15, 1910, s. 15(1).
" " apply or adapt municipal enactments or rules for assessment and recovery of taxes . . . . .	" s. 15(2).
" " extend Act 20, 1856 (Chaukidars), to cantonments; consequential restriction of power of taxation . . . . .	" ss. 16, 17.
" " prohibit levy of any tax, or exempt persons or property . . . . .	" s. 18.
Collection of octroi in cantonment limits by Municipal Committee, by agreement with Cantonment Authority . . . . .	(N.-W.F.&P.) Act 20, 1891, s. 143(3). (U.P.) Act 1, 1900, s. 69(4). Bom. Act 3, 1901, s. 39.
Cantonment Fund; constitution of; what moneys to be credited and debited to; application of fund beyond limits of cantonment . . . . .	Act 15, 1910, s. 19.
" " rules for application of, payments from, and investment of balance . . . . .	" s. 24(7 to 9).
" " custody, vesting and management of . . . . .	" ss. 20, 21.
" " acquisition of immoveable property at cost of; application of Land Acquisition Act . . . . .	" s. 22.
Power of Municipal Commissioners to contribute towards expenditure incurred in cantonment . . . . .	Bom. Act 3, 1901, s. 52(b).
Collection of cantonment taxes by railway administrations by agreement . . . . .	U.P. Act 2, 1899.
Power of Local Government to direct expenditure within cantonment of proceeds of local rate levied therein under Punjab District Boards Act, 1883 . . . . .	(N.-W.F.&P.) Act 20, 1893, s. 9. (sub. P. Act 2, 1906, s. 3)[1]
Power of Governor General in Council to direct contribution to be made to cantonment fund from octroi receipts in bazar . . . . .	Reg. 5, 1910, s. 25(1)(a).
Assignment by District Local Board to Cantonment Committee of proceeds of certain taxes levied by Board in cantonment . . . . .	Bom. Act 1, 1884, s. 47.
Expenditure in cantonment on education . . . . .	" s. 48.

## 4. Miscellaneous.

Bar of suits and prosecutions for acts done in good faith . . . . .	Act 15, 1910, s. 28.
Certain transfers of property must be made by registered instrument . . . . .	" s. 29(1).
Indexes kept under Indian Registration Act, 1908, to be sent to Cantonment Magistrate, when cantonment is not a separate sub-district or district under that Act . . . . .	" s. 29(2).
Power to exclude cantonment from operation of Act . . . . .	" s. 30.
Penalty for being found in cantonment at night carrying arms, etc. . . . .	[2] Reg. 3, 1901, s. 29. Reg. 7, 1901, s. 3, Sch. II. P. Act 2, 1905, s. 7(1). (N.W.F.) Reg. 2, 1906.
No right of pre-emption within Cantonments; exception . . . . .	
See BROTHEL AND DISORDERLY HOUSE; CANTONMENTS (HOUSE-ACCOMMODATION).	
Cession of Morar Cantonment to Gwalior . . . . .	Act 17, 1885, s. 10.

[1] P. Act 2, 1906, has been extended (with modifications) to N.-W. F. by notification under Act 14, 1974.

[2] Reg. 3, 1901, has been extended (with modifications) to British Baluchistan by notification under Act 14, 1974.

CANTONMENTS (HOUSE-ACCOMMODATION)	Act2,1902.
Extent and application of Act 2, 1902	Act2,1902,ss.1(2),3.
Saving of written instruments	" s.4.
Definitions	" s.2.
Liability of houses in cantonments to appropriation for occupation by military officers	" s.5.
Appropriation of houses for occupation by military officers ; notice of appropriation and procedure thereon ; appeal	" ss.6to9,35 to38,15(1).
Houses not to be appropriated in certain cases	" s.11.
Option in certain cases to owner to offer house for sale	" s.14.
Time to be allowed for giving possession	" s.12.
Entry by Cantonment Magistrate and enforcement of surrender on failure to give possession	" s.13.
Liability of Government to owner if tenant under lease from year to year or for any term exceeding one year evicted from house	" s.15(2),(3),(4).
Commencement and termination of tenancy in case of military officer occupying house	" s.16.
Sub-lease by military officer avoidable by owner	" s.17.
Repairs ; right of military tenant in respect of	" s.22.
Recovery of rent from military tenant	" s.39.
Reference to arbitration of certain disputes between military tenant and owner	" ss.18to21.
Committees of Arbitration ; constitution and convening of meeting and powers of	" ss.24to29.
Decisions of, in case of difference of opinion ; finality of decision	" ss.30to33.
Houses in cantonments not to be occupied for certain purposes except with sanction	" s 10
notice of devolution of interest in, to be given ; penalty for failure	" s.23.
appeals against notice of appropriation of	" ss.35to38.
Service of notice, etc.	" s.40.
Rules	" ss.41,42.
Protection to persons acting under Act	" s.44.

CANTONMENTS (HOUSE-ACCOMMODATION) ACT, 1902	Act2,1902.
[See ARBITRATION ; CANTONMENTS (HOUSE-ACCOMMODATION), CRIMINAL PROCEDURE (IND.) 12]	

# CAPITAL.

Payment by Railway Company of interest out of. See RAILWAY, 10.

# CAPITAL PUNISHMENT.

Under Army Act	44-5V.c.58,s.4.
Indian Articles of War	[?]Act5,1869,Arts.7to24.
In other cases. See CRIMINAL LAW (IND.), 3 ; STATE OFFENCES.	
Inferior Courts not to have power of imposing, on European British subject	3-4W.4,c.85,s.46.

**CAPITAL PUNISHMENT—contl.**

Confirmation of sentence . . . . .	(O.)Act14,1891,s.7.
„ „ See also CRIMINAL PROCEDURE (IND.), 9 (2).	
Postponement and commutation of sentence on pregnant woman {	Act5,1898,s.382,Sch.
Confirmation and commutation of sentence in Aden . . . . .	V,Form36.
Execution in British India of certain capital sentences passed } elsewhere by British Courts or officers . . . . . }	Act2,1864,s.28.
In what jails such sentences to be executed . . . . .	Act3,1900,s.18.
	„ s.18(2).

**CAPITATION-TAX AND LAND-RATE IN LIEU THEREOF,  
LOWER BURMA.**

Act 2, 1876, extends to Lower Burma, except Arakan Hill District and notified areas . . . . .	Act2,1876, s. 1.
Imposition of capitation-tax: rates of tax; exemptions . . . . .	„ s.34,Sch.
Power to impose land rate in lieu of capitation-tax; amounts } of rate . . . . . }	„ s.35,Sch.
Power to exempt persons or lands from payment of tax or rate . . . . .	„ s. 36.
Personal liability for rate . . . . .	„ s.37.
Year of assessment of tax or rate; enhancement when to take } effect . . . . . }	„ ss.41,42.
Tax or rate when due, and where and to whom payable . . . . .	„ s.43.
Recovery of tax or rate . . . . .	„ ss 44to53.
Appeals . . . . .	„ s.55.
Bar to jurisdiction of Civil Courts . . . . .	„ s.56.
Power to make rules as to assessment and collection . . . . .	„ s.58(a).
Persons liable to income-tax not to be assessed to capitation- } tax or land-rate . . . . . }	„ s.48.
Abolition of capitation-tax in Arakan Hill District . . . . .	Reg.9,1874,s.12.

**CARGO** See MERCHANT SHIPPING, 6, 7 (b). See also cross-references from GRAIN CARGO.

**CARRIAGE.** See HACKNEY-CARRIAGE; PUBLIC CONVEYANCE;  
STAGE CARRIAGE

**CARRIERS ACT,** { 1865 } (See CARRIER, TRAMWAY) . . . { Act3,1865.  
                          { 1899 } Act10,1899.

**CARRIER.**

Act 3, 1865, declared in force—

throughout British India, except as regards the Scheduled } Districts . . . . . }	Act15,1874,s.3.
in the Santhal Parganas . . . . .	Reg.3,1872,s.3,Sch.
in the Arakan Hill District (with a modification) . . . . .	Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) . . . . .	Act13,1898,s.4,Sch.1.

**Common Carrier:**

Definition of . . . . .	Act3,1865,s.2.
Certain goods above Rs. 100 in value:	
Carrier not liable for loss or damage unless description and } value expressly declared . . . . . }	„ s.3,V.I.,
Carrier may demand extra payment for risk, if notice ex- } hibited . . . . . }	„ s.4.
Owner may recover sum paid for risk, in addition to value . . . . .	„ s.5.

**Other goods:**

Liability not limited or affected by public notice, but special } contract may be made . . . . . }	„ s.6.
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**CARRIER—*contd.*****Other goods—*contd.***

Tramway owner; liability of . . . . .	Act3,1865,s.7.
S. 7 repealed as to railways . . . . .	Act9,1890.
Liability for negligence or criminal act . . . . .	Act3,1865,s.8.
Plaintiff need not prove negligence or criminal act by carrier . . . . .	„ s.9.
No suit against, unless previous notice of loss or injury given . . . . .	„ s.10.
Act 3, 1865, repealed as to carriers by rail . . . . .	Act4,1879.
Liability of Railway administration. <i>See</i> RAILWAY, 7, 10.	
„ shipowner. <i>See</i> MERCHANT SHIPPING, 1 (b).	

**CASTE DISABILITIES REMOVAL ACT, 1850 (*See* CASTE) .**

Act21,1850.

**CASTE QUESTIONS; PLEADERS (*See* CASTE; LEGAL PRACTITIONER) . . . . .**

Bom.Reg.2,1827.

**CASTE.**

Bom. Reg. 2, 1827, s. 21, declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts	Act15,1874,s.5.
Act 21, 1850, declared in force—	
throughout British India, except as regards the Scheduled Districts . . . . .	„ s.3.
in the Santhal Parganas . . . . .	Reg.3,1872,s.3,Sch.
in the Arakan Hill District (with modifications) . . . . .	Reg 9,1874,s.3.
Limitation of jurisdiction of Courts in questions relating to	Bom.Reg.2,1827,s.21.
Non-forfeiture of rights or property by loss of . . . . .	Act21,1850.
When taken into account in fixing rent payable by tenant. ( <i>See</i> LANDLORD AND TENANT, IX, 3).	

**CASUALTIES. *See* MERCHANT SHIPPING, 8.****CATTLE-TRESPASS ACT, 1871. (*See* ANIMAL, B, 1) . . . . .**

Act1,1871.

**„ „ (1871) AMENDMENT ACT, 1891 . . . . .**

Act1,1891.

**CENSUS ACT (INDIAN), 1910 . . . . .**

Act16,1910.

**CENSUS.**

Provisions for taking a general census of British India during the year 1911 . . . . .	Act16,1910.
Taking of, in municipalities : <i>See under</i> MUNICIPALITY ( <i>sub-heading</i> “The Public Health Safety and Convenience.”)	
Taking of, by District Board, Bengal, and Eastern Bengal. <i>See</i> LOCAL SELF-GOVERNMENT, III, .	
Taking of, in Aden; power to make rules for . . . . .	Reg.7,1900,s.13.
Taking of, in bazars in British Beluchistan. <i>See</i> BRITISH BELUCHISTAN, II, 6 (a).	
Taking of, under Infanticide Act . . . . .	Act8,1870,ss.2,3.
Of firearms; power to direct . . . . .	Act11,1878,s.32.

**CENTRAL PROVINCES BOILER INSPECTION ACT, 1907  
(*See* STEAM-BOILERS AND PRIME-MOVERS) . . . . .**

Act2,1907.

**„ „ COURTS ACT, 1904 [*See* CIVIL COURTS; CRIMINAL PROCEDURE (IND.); MATRIMONIAL CAUSES; SEAL] . . . . .**

Act2,1904.

**„ „ „ (AMENDMENT) ACT, 1910 . . . . .**

Act11,1910.

CENTRAL PROVINCES COURT OF WARDS ACT, 1899 (See COURT OF WARDS, D) . . . . .	Act24,1899.
" " FINANCIAL COMMISSIONERS ACT, 1908 (See FINANCIAL COMMISSIONER, CENTRAL PROVINCES) . . . . .	Act13,1908.
" " LAND-REVENUE ACT, 1881 (See DISTRICT; FINANCIAL COMMISSIONER, CENTRAL PROVINCES; FISHERY, 6; LAND-REVENUE, XI; MINES AND MINERALS) . . . . .	Act18,1881.
CENTRAL PROVINCES LAND-REVENUE ACT, 1889 (See LAND-REVENUE, XI) . . . . .	Act16,1889.
CENTRAL PROVINCES LAND-REVENUE ACT, 1898 . . . . .	Act12,1898.
CENTRAL PROVINCES LAWS ACT { 1875 } [See ACTS AND 1879] . . . . .	Act20,1875. Act2,1879.
REGULATIONS OF INDIAN LEGISLATURES, 1; ADMINISTRATION OF ESTATES (IND. LAW); ALLUVION AND DILUVION; CENTRAL PROVINCES; CIVIL PROCEDURE, 12; FOREIGNER; MARCHING TROOPS; OPIUM; SAMBALPUR; STATE OFFENCES; STATE PRISONERS; TOLLS; TRAVELLER] . . . . .	
CENTRAL PROVINCES LOCAL SELF-GOVERNMENT ACT, 1883 (See ANIMAL, B; CANTONMENT; FERRY; LOCAL SELF-GOVERNMENT, V) . . . . .	Act1,1883.
CENTRAL PROVINCES MUNICIPAL ACT, 1903 (See CANTONMENT; DOG; GAMING; LOCAL SELF-GOVERNMENT, V; MUNICIPALITY, XI; POLICE, I) . . . . .	Act16,1903.
CENTRAL PROVINCES TENANCY ACT, 1893 (See FOREST; LANDLORD AND TENANT, VI; LAND-REVENUE, XI; REGISTRATION OF DOCUMENTS) . . . . .	Act11,1898.
CENTRAL PROVINCES TENANCY (AMENDMENT) ACT, 1899 . . . . .	Act21,1899.
CENTRAL PROVINCES VILLAGE-SANITATION ACT, 1902 (See LOCAL SELF-GOVERNMENT, V; VILLAGE) . . . . .	Act11,1902.
CENTRAL PROVINCES.	

### 1. Status and Laws.

Certain zamindaris and jagirdaris, etc., in, are Scheduled Districts . . . . .	Act14,1874,s.1,Sch.I, Pt VI. Act15,1874,s.2,-ch.VI, Pt.VI.
Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others . . . . .	Act20,1875,s.2(a)3, Sch ,Pt.A.
Certain Acts of the Governor General in Council repealed, and others declared in force . . . . .	„ as 2(b),3,4,Sch , Pt.B.
Certain other enactments, and certain rules, repealed . . . . .	„ s 2(c).
Law to be administered . . . . .	„ ss.5,6

### 2. Civil Justice.

Instruments of husbandry or trade, and agricultural cattle, exempted from attachment and sale in execution of decree . . . . .	„ s.7.
Repeal of certain sections of the Code of Civil Procedure and amendment of others (relating to the recording of evidence) . . . . .	„ ss.11,12

### 3. Miscellaneous.

Power to make rules as to— conservancy and watch and ward at fairs and assemblies, and taxation to meet expenses thereof . . . . . custody of judicial records, and . . . . . appointment, etc., of ministerial officers . . . . .	„ s.8.
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**CARRIER—contd.**Other goods—*contd.*

Tramway owner; liability of . . . . .	Act3,1865,s.7.
S. 7 repealed as to railways . . . . .	Act9,1890.
Liability for negligence or criminal act . . . . .	Act3,1865,s.8.
Plaintiff need not prove negligence or criminal act by carrier . . . . .	" s.9.
No suit against, unless previous notice of loss or injury given . . . . .	" s.10.
Act 3, 1865, repealed as to carriers by rail . . . . .	Act4,1879.
Liability of Railway administration. <i>See RAILWAY, 7, 10.</i>	
" shipowner. <i>See MERCHANT SHIPPING, 1 (b).</i>	

**CASTE DISABILITIES REMOVAL ACT, 1850.** (*See CASTE*) . Act21,1850.

**CASTE QUESTIONS; PLEADERS** (*See CASTE, LEGAL PRACTITIONER*) . Bom.Reg.2,1827.

**CASTE.**

Bom. Reg. 2, 1827, s. 21, declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts } .	Act15,1874,s.5.
Act 21, 1850, declared in force—	
throughout British India, except as regards the Scheduled Districts . . . . . }	s.3.
in the Santhal Parganas . . . . .	" "
in the Arakan Hill District (with modifications) . . . . .	Reg 3,1872,s.3,Sch.
Limitation of jurisdiction of Courts in questions relating to . . . . .	Reg.9,1874,s. 3.
Non-forfeiture of rights or property by loss of . . . . .	Bom.Reg 2,1827,s.21.
When taken into account in fixing rent payable by tenant. ( <i>See LANDLORD AND TENANT, IX, 3</i> ).	Act21,1850.

**CASUALTIES.** *See MERCHANT SHIPPING, 8.*

**CATTLE-TRESPASS ACT, 1871.** (*See ANIMAL, B, 1*) . Act1,1871.

" " (1871) AMENDMENT ACT, 1891 . Act1,1891.

**CENSUS ACT (INDIAN), 1910** . Act16,1910.

**CENSUS.**

Provisions for taking a general census of British India during the year 1911 . Act16,1910.

Taking of, in municipalities :

*See under MUNICIPALITY (sub-heading "The Public Health, Safety and Convenience.")*

Taking of, by District Board, Bengal, and Eastern Bengal. *See LOCAL SELF-GOVERNMENT, III, .*

Taking of, in Aden; power to make rules for . . . . . Reg.7,1900,s.13.

Taking of, in bazars in British Baluchistan. *See BRITISH BALUCHISTAN, II, 6 (a).*

Taking of, under Infanticide Act . . . . . Act8,1870,ss.2,3.

Of firearms; power to direct . . . . . Act11,1878,s.32.

**CENTRAL PROVINCES BOILER INSPECTION ACT, 1907** }  
*(See STEAM-BOILERS AND PRIME-MOVERS)* . Act2,1907.

" " **COURTS ACT, 1904** [*See CIVIL COURTS; CRIMINAL PROCEDURE (IND.); MATRIMONIAL CAUSES; SEAL*] }  
 Act2,1904.

" " " (AMENDMENT) ACT, 1910 . Act11,1910.

CENTRAL PROVINCES COURT OF WARDS ACT, 1899 (See COURT OF WARDS, D) . . . . .	Act24,1899.
" " FINANCIAL COMMISSIONERS ACT, 1908 (See FINANCIAL COMMISSIONER, CENTRAL PROVINCES) . . . . .	Act13,1908.
" " LAND-REVENUE ACT, 1881 (See DISTRICT; FINANCIAL COMMISSIONER, CENTRAL PROVINCES; FISHERY, 6; LAND-REVENUE, XI; MINES AND MINERALS) . . . . .	Act18,1881.
CENTRAL PROVINCES LAND-REVENUE ACT, 1889 (See LAND-REVENUE, XI) . . . . .	Act16,1889.
CENTRAL PROVINCES LAND-REVENUE ACT, 1898 . . . . .	Act12,1898.
CENTRAL PROVINCES LAWS ACT { 1875 } [See ACTS AND 1879] . . . . .	Act20,1875. Act2,1879.
REGULATIONS OF INDIAN LEGISLATURES, 1; ADMINISTRATION OF ESTATES (IND. LAW); ALLUVION AND DILUVION; CENTRAL PROVINCES; CIVIL PROCEDURE, 12; FOREIGNER; MARCHING TROOPS; OPIUM; SAMBALPUR; STATE OFFENCES; STATE PRISONERS; TOLLS, TRAVELLER]	
CENTRAL PROVINCES LOCAL SELF-GOVERNMENT ACT, 1883 (See ANIMAL, B; CANTONMENT; FERRY; LOCAL SELF-GOVERNMENT, V) . . . . .	Act1,1883.
CENTRAL PROVINCES MUNICIPAL ACT, 1903 (See CANTONMENT; DOG, GANING; LOCAL SELF-GOVERNMENT, V; MUNICIPALITY, XI; POLICE, I) . . . . .	Act16,1903.
CENTRAL PROVINCES TENANCY ACT, 1898 (See FOREST; LANDLORD AND TENANT, VI; LAND-REVENUE, XI; REGISTRATION OF DOCUMENTS) . . . . .	Act11,1898.
CENTRAL PROVINCES TENANCY (AMENDMENT) ACT, 1899 . . . . .	Act21,1899.
CENTRAL PROVINCES VILLAGE-SANITATION ACT, 1902 (See LOCAL SELF-GOVERNMENT, V; VILLAGE) . . . . .	Act11,1902.
CENTRAL PROVINCES.	

## 1. Status and Laws.

Certain zamindaris and jagirdaris, etc., in, are Scheduled Districts . . . . .	Act14,1874,s.1,Sch.I, Pt.VI. Act15,1874,s.2,Sch.VI, Pt.VI.
Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others . . . . .	Act20,1875,s.2(a)3, Sch.,Pt.A.
Certain Acts of the Governor General in Council repealed, and others declared in force . . . . .	„ ss.2(b),3,4,Sch., Pt.B.
Certain other enactments, and certain rules, repealed . . . . .	„ s.2(c).
Law to be administered . . . . .	„ ss.5,6.

## 2. Civil Justice.

Instruments of husbandry or trade, and agricultural cattle, exempted from attachment and sale in execution of decree . . . . .	„ s.7.
Repeal of certain sections of the Code of Civil Procedure and amendment of others (relating to the recording of evidence) . . . . .	„ ss.11,12.

## 3. Miscellaneous.

Power to make rules as to—	
conservancy and watch and ward at fairs and assemblies, and taxation to meet expenses thereof . . . . .	„ s.8.
custody of judicial records, and . . . . .	„
appointment, etc., of ministerial officers . . . . .	„

CENTRAL PROVINCES—*contd.*3. Miscellaneous—*contd.*

Rules under Act 20, 1875; sanctioning of . . . . .	Act 20, 1875, s. 10.
" " " " penalty for breach of . . . . .	" s. 9.
Transfer of taluqas Nugur, Albaka and Cherla to Madras Presidency . . . . .	Reg. 1, 1909.
<i>For further provisions enacted specially for the Central Provinces, see the appropriate heads.</i>	

CERTIFICATE ACTS. *See* PUBLIC DEMANDS, II.

CESS ACT, 1880 (*See* LOCAL RATES AND CESSES, B; RAILWAY; }  
TRAMWAY) . . . . . Ben. Act 9, 1880.

CESSES. *See* ALBAKA; CHERLA; LOCAL RATES AND CESSES;  
NUGUR; TEA CESS.

## CESSPOOLS.

Regulation of. *See cross-references from* DRAINS, LATRINES,  
ETC.

## CHARGE.

Definition of; application to, of law as to mortgages . . . . .	Act 4, 1882, s. 100.
Liability of transferee of . . . . .	" s. 137.
Extinguishment of, on owner thereof becoming absolutely entitled to property which is the subject of . . . . .	" s. 101.
In case of Dekkhan agriculturist, must be in writing . . . . .	Act 17, 1879, s. 70.
<i>See also</i> ACTIONABLE CLAIM; TRANSFER OF PROPERTY, A.	

CHARGE OF OFFENCE. *See* CRIMINAL PROCEDURE (INDIAN),  
8 (4).

## CHARGES.

On private estates managed by Government, to cover cost of  
management, etc. *See* RATES AND CHARGES.

CHARITABLE ENDOWMENTS ACT, 1890 (*See* ADVOCATE }  
GENERAL; ENDOWMENT, 1; OFFICIAL TRUSTEE) } Act 6, 1890.

CHARITABLE PURPOSES defined. *See* WORDS AND PHRASES.

CHARITABLE SOCIETY. *See* SOCIETY, 1.

## CHARTER.

Liberties of the Church and subjects . . . . . 12-3W.3, c. 2.

CHAUKIDARS. *See* POLICE, II.

CHEATING. *See* CRIMINAL LAW (IND.), 15.

" AT GAMES. *See* GAMING, 4.

CHEQUE. *See* NEGOTIABLE INSTRUMENT.

## CHERLA.

Taluqa of, laws to be in force in, on transfer to Madras Presidency: pending proceedings . . . . .	Reg. 1, 1909, ss. 2, 3, 5.
L levy of certain cesses in . . . . .	" s. 4.

CHIEF COMMISSIONERS' POWERS ACT (*See* CHIEF COMMISSIONER). . . . . Act 32, 1867.

## CHIEF COMMISSIONER.

Included in expression " Local Government " as used in Acts of  
Governor General in Council from 3rd January, 1868, and  
Regulations from 14th January, 1857 . . . . . Act 10, 1897, ss. 3(29), 4(1).

*See also* GOVERNMENT OF INDIA, 2 (c)

**CHIEF COMMISSIONER—*contd.***

Power of Governor General in Council to delegate to Chief Commissioners of Central Provinces and Oudh powers conferred by Acts on the Governor General in Council as Local Government	Act 32, 1867.
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**CHIEF COURT OF LOWER BURMA.**

Constitution of ; appointment of Judges . . . . .	Act 6, 1900, ss. 4, 5, 6.
Rank and precedence of Judges ; Senior Judge . . . . .	" s. 7.
Civil original jurisdiction : to be principal Civil Court of, for Rangoon Town . . . . .	" s. 8(1)(c).
Civil appellate jurisdiction . . . . .	" ss. 8, 28.
Second appeal in certain cases on same grounds as first appeal . . . . .	" s. 30.
Appeal from original civil jurisdiction . . . . .	" s. 14.
Appeal from decision of Small Cause Court, Rangoon, in certain cases . . . . .	" s. 27(2), (3).
Procedure in exercise of civil jurisdiction ; certain provisions of the Code of Civil Procedure not to apply . . . . .	s. 16.
Criminal original jurisdiction : to be principal Criminal Court of, for Rangoon Town : Magistrates in Rangoon Town to commit to Chief Court . . . . .	" s. 8(1)(c), s. 13(1).
Criminal jurisdiction over European British subjects, etc., in whole of Burma including Shan States . . . . .	" s. 8(1)(a), (b).
Criminal appellate and revisional jurisdiction . . . . .	" ss. 8(1), 13.
Review in certain criminal cases on certificate of Government Advocate . . . . .	Act 6, 1900, s. 12.
Insolvency jurisdiction of . . . . .	Act 3, 1909, s. 3(b).
Exercise of jurisdiction by single Judges and benches . . . . .	Act 6, 1900, s. 9, s. 10(2).
Full bench, constitution of ; power to refer questions to . . . . .	" s. 10(1), s. 11.
Rule of decision where Judges differ . . . . .	" s. 15.
Ministerial officers . . . . .	" s. 17.
Superintendence and control over all other Civil Courts in Lower Burma to vest in : inspection of such courts by . . . . .	" s. 18.
Power of, to make rules as to petition-writers, translations, search and inspection of records, expenses of witnesses and fees of Commissioners, language in which Courts to be addressed, delegation of certain powers to ministerial officers, forms, inspection of subordinate courts, etc. . . . .	" ss. 19, 46.
Books, registers, statements, etc., to be kept and furnished by . . . . .	" s. 20.
Place of sitting : seal . . . . .	" ss. 36, 37.
Holidays . . . . .	" s. 39.
Right of audience of Advocates of abolished Courts preserved . . . . .	" s. 40.

**CHIEF COURT OF THE PUNJAB.**

Constitution of ; appointment of Judges . . . . .	Act 18, 1884, s. 4.
Rank and precedence of Judges . . . . .	" s. 5.
Civil appellate jurisdiction ; second appeal in certain cases on same grounds as first appeal . . . . .	" ss. 6, 33, 40, 43.
Criminal appellate and revisional jurisdiction . . . . .	" s. 7.
Criminal jurisdiction over European British subjects . . . . .	" s. 11A (ins.).
Review in certain criminal cases on certificate of Government Advocate . . . . .	P. Act 1, 1909, s. 2.
Delegation of powers to members of Court . . . . .	" s. 9.
Appeals from original civil jurisdiction of . . . . .	" s. 9.

CENTRAL PROVINCES—*contd.*3. Miscellaneous—*contd.*

Rules under Act 20, 1875; sanctioning of . . . . .	Act 20, 1875, s. 10.
" " " " penalty for breach of . . . . .	" s. 9.
Transfer of taluqas Nugur, Albaka and Cherla to Madras Presidency . . . . .	Reg. 1, 1909,

*For further provisions enacted specially for the Central Provinces, see the appropriate heads.*

**CERTIFICATE ACTS.** *See* PUBLIC DEMANDS, II.

**CESS ACT, 1880** (*See* LOCAL RATES AND CESSES, B; RAILWAY; } Ben. Act 9, 1880.  
TRAMWAY) . . . . .

**CESSES.** *See* ALBAKA, CHERLA; LOCAL RATES AND CESSES;  
NUGUR; TEA CESS.

**CESSPOOLS.**

Regulation of. *See* cross-references from DRAINS, LATRINES,  
ETC.

**CHARGE.**

Definition of; application to, of law as to mortgages . . . . .	Act 4, 1882, s. 100.
Liability of transferee of . . . . .	" s. 137.
Extinguishment of, on owner thereof becoming absolutely entitled to property which is the subject of . . . . .	" s. 101.
In case of Dekkhan agriculturist, must be in writing . . . . .	Act 17, 1879, s. 70.

*See also* ACTIONABLE CLAIM; TRANSFER OF PROPERTY, A.

**CHARGE OF OFFENCE.** *See* CRIMINAL PROCEDURE (INDIAN),  
B (4).

**CHARGES.**

On private estates managed by Government, to cover cost of  
management, etc. *See* RATES AND CHARGES.

**CHARITABLE ENDOWMENTS ACT, 1890** (*See* ADVOCATE } Act 6, 1890-  
GENERAL; ENDOWMENT, 1; OFFICIAL TRUSTEE)

**CHARITABLE PURPOSES** defined *See* WORDS AND PHRASES.

**CHARITABLE SOCIETY.** *See* SOCIETY, 1.

**CHARTER.**

Liberties of the Church and subjects . . . . . 12-3W.3, c. 2.

**CHAUKIDARS.** *See* POLICE, II.

**CHEATING.** *See* CRIMINAL LAW (IND.), 15.

" AT GAMES. *See* GAMING, 4.

**CHEQUE.** *See* NEGOTIABLE INSTRUMENT.

**CHERLA.**

Taluqa of, laws to be in force in, on transfer to Madras Presidency: pending proceedings . . . . .	Reg. 1, 1909, ss. 2, 3, 5.
Levy of certain cesses in . . . . .	" s. 4.

**CHIEF COMMISSIONERS' POWERS ACT** (*See* CHIEF COMMISSIONER). . . . . Act 32, 1867.

**CHIEF COMMISSIONER.**

Included in expression " Local Government " as used in Acts of  
Governor General in Council from 3rd January, 1863, and  
Regulations from 14th January, 1867 . . . . . Act 10, 1897, ss. 3(29), 4(1).

*See also* GOVERNMENT OF INDIA, 2 (c)

CHIEF COMMISSIONER—*contd.*

Power of Governor General in Council to delegate to Chief Commissioners of Central Provinces and Oudh powers conferred by Acts on the Governor General in Council as Local Government	Act 32, 1867.
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## CHIEF COURT OF LOWER BURMA.

Constitution of; appointment of Judges . . . . .	Act 6, 1900, ss. 4, 5, 6.
Rank and precedence of Judges; Senior Judge . . . . .	" s. 7.
Civil original jurisdiction: to be principal Civil Court of, for Rangoon Town . . . . .	" s. 8(1)(c).
Civil appellate jurisdiction . . . . .	" ss. 8, 28.
Second appeal in certain cases on same grounds as first appeal . . . . .	" s. 30.
Appeal from original civil jurisdiction . . . . .	" s. 14.
Appeal from decision of Small Cause Court, Rangoon, in certain cases . . . . .	" s. 27(2), (3).
Procedure in exercise of civil jurisdiction; certain provisions of the Code of Civil Procedure not to apply . . . . .	s. 16.
" . . . . .	" s. 8(1)(c).
" . . . . .	s. 13(1).
Criminal jurisdiction over European British subjects, etc., in whole of Burma including Shan States . . . . .	" s. 8(1)(a), (b).
Criminal appellate and revisional jurisdiction . . . . .	" ss. 8(1), 13.
Review in certain criminal cases on certificate of Government Advocate . . . . .	Act 6, 1900, s. 12.
Insolvency jurisdiction of . . . . .	Act 3, 1900, s. 3(b).
Exercise of jurisdiction by single Judges and benches . . . . .	Act 6, 1900, ss. 9, 10(2).
Full bench, constitution of; power to refer questions to . . . . .	" s. 10(1), s. 11.
Rule of decision where Judges differ . . . . .	" s. 15.
Ministerial officers . . . . .	" s. 17.
Superintendence and control over all other Civil Courts in Lower Burma to vest in: inspection of such courts by . . . . .	" s. 18.
Power of, to make rules as to petition-writers, translations, search and inspection of records, expenses of witnesses and fees of Commissioners, language in which Courts to be addressed, delegation of certain powers to ministerial officers, forms, inspection of subordinate courts, etc. . . . .	" ss. 10, 46.
Books, registers, statements, etc., to be kept and furnished by . . . . .	" s. 20.
Place of sitting: seal . . . . .	" ss. 36, 37.
Holidays . . . . .	" s. 32.
Right of audience of Advocates of abolished Courts preserved . . . . .	" s. 19.

## CHIEF COURT OF THE PUNJAB.

Constitution of; appointment of Judges . . . . .	Act 18, 1884, s. 4.
Rank and precedence of Judges . . . . .	" s. 5.
Civil appellate jurisdiction; second appeal in certain cases on same grounds as first appeal . . . . .	" ss. 6, 39, 40, 43.
Criminal appellate and revisional jurisdiction . . . . .	" s. 7.
Criminal jurisdiction over European British subjects . . . . .	" s. 11A(un- P. Act 1, 1902, s. 2)
Review in certain criminal cases on certificate of Government Advocate . . . . .	" s. 9.
Delegation of powers to members of Court . . . . .	" s. 9.
Appeals from original civil jurisdiction of . . . . .	" s. 9.

CHIEF COURT OF THE PUNJAB—*contd.*

Rule of decision when Judges differ . . . . .	Act 18, 1884, s. 10.
Power of, to refer question to full bench . . . . .	" s. 11.
Ministerial officers . . . . .	" ss. 12, 14(f).
Superintendence and control over other Civil Courts to vest in . . . . .	" s. 13.
Power to call for records and revise decision in unappealable } cases; court-fees, refund . . . . .	" ss. 70 to 72.
Extraordinary power of, to transfer civil or criminal proceedings . . . . .	" s. 76.
Power of, to make rules as to petition-writers, judicial powers of } ministerial officers, translations, forms, inspection of subordi- nate Courts, etc. . . . .	" s. 14.
Books, etc., to be kept and furnished by . . . . .	" s. 15.
Procedure of, in exercise of civil jurisdiction; certain sections of } Code of Civil Procedure not to apply . . . . .	" s. 16.
Place of sitting . . . . .	" s. 66.
Holidays . . . . .	" s. 67.
Periodical republication, etc., of circulars issued by, . . . . .	Act 4, 1872, s. 51 (am. P. Act 1, 1910).
Act 18, 1884, rep. in N.-W. F. . . . .	Reg. 7, 1901, s. 5, Sch. 3.

## CHILD.

See APPRENTICE; INFANT; MINOR; VACCINATION, I, 3, II, 3.

CHIN HILLS REGULATION, 1896 [See ACTS AND REGU-  
LATIONS OF INDIAN LEGISLATURES, I; CHIN HILLS, CRIMINAL  
LAW (IND.), 2, 25; CRIMINAL PROCEDURE, 13; DEREGU-  
LATIONISED TRACTS; DISTURBED DISTRICT; EVIDENCE, II;  
PRECIOUS STONES; PUBLIC OFFICER; SLAVERY, STATE PRI-  
SONER] . . . . .

Reg. 5, 1896.

## CHIN HILLS (UPPER BURMA).

## 1. Preliminary.

Tracts and tribes to which Reg. 5, 1896, applies . . . . .	Reg. 5, 1896, ss. 1, 2.
Sections 9, 12, 16, 22, 23 and 33 applicable to persons other than } Chins . . . . .	" s. 4(f), (5).
Definitions . . . . .	" s. 2.

## 2. Laws.

What enactments to apply to Chins . . . . .	" s. 3(1), Sch.
Bar to application of other enactments to Chins . . . . .	" s. 3(2).
Power of Local Government to apply enactments to Chins . . . . .	" s. 3(2), prov. (am. Reg. 2, 1910, s. 5).
Application of law in force in Upper Burma (except Mandalay) } to persons not Chins; powers of Superintendent, Assistant Superintendent and Local Government . . . . .	" s. 4.

## 3. Headmen, and their Powers.

Headmen; definition . . . . .	s. 2(6).
" appointment, etc., of . . . . .	ss. 5, 17, 38.
" to control clan, etc. . . . .	s. 6(1).

CHIN HILLS (UPPER BURMA)—*contd.*3. Headmen, and their Powers—*contd.*

Headmen may levy customary dues and impose punishments in accordance with local custom . . . . .	Reg 5,1896,s.6(2).
„ to keep the peace, comply with orders of Superintendent or Assistant Superintendent, and furnish supplies of food and labour for public servants . . . . .	„ s.6(3)
„ criminal jurisdiction of ; Indian Penal Code and Code of Criminal Procedure not to apply . . . . .	„ s.7.
„ civil jurisdiction of . . . . .	„ s.8
„ punishment of . . . . .	„ s.17.

## 4. Jurisdiction and Special Powers of Officers.

Criminal jurisdiction . . . . .	„ ss 9,10,13.
Civil jurisdiction . . . . .	„ ss 9,12,13.
Investiture of Assistant Superintendent with powers . . . . .	„ s.11.
Power to impose fines on villages, etc., for collusion with criminals, etc. . . . .	„ ss 14,15
„ coerce hostile tribe, etc. . . . .	„ s.16.
„ decide dispute likely to lead to feud, etc . . . . .	„ s.18
„ prohibit formation of new village . . . . .	„ ss.19,23.
„ direct removal of village or persons . . . . .	„ ss.20to23.
„ require security for prevention of crime or feud . . . . .	„ ss.24to30.

## 5. Arms, Ammunition, Intoxicating Drugs, Liquor and Forests.

Firearms and ammunition ; regulation of use and exportation of, and manufacture of gunpowder . . . . .	Reg 5,1896,s.31(1)to(5).
Dás, spears and bows and arrows , power to prohibit carrying of . . . . .	„ s.31(6),(7).
Opium, ganja, bháng or charas ; penalty for importing, cultivating, manufacturing, possessing, selling or exporting . . . . .	„ s 33.
Foreign fermented liquor or spirit ; penalty for selling, to Chin . . . . .	„ s 34.
Forests ; sanction required to prosecution under Reg. 6, 1887 . . . . .	„ s.32.

## 6. Taxes.

Power of Local Government to prescribe rates of . . . . .	„ s.35.
Recovery of . . . . .	„ s.36.

## 7. Miscellaneous.

Recovery of fines, etc. . . . .	„ s.36.
Subordination of officers, control and revision . . . . .	„ ss.38,41.
Power of Local Government to make rules . . . . .	„ s.39.
Bar to jurisdiction of Civil and Criminal Courts . . . . .	„ s.40.
Delegation of certain of Local Government's powers . . . . .	„ s.41.

CHITTAGONG HILL TRACTS REGULATION, 1910 [See  
 ACTS AND REGULATIONS OF INDIAN LEGISLATURES ; BOUND-  
 ARIES ; CHITTAGONG HILL TRACTS ; CRIMINAL LAW (IND.),  
 25 ; CRIMINAL PROCEDURE (IND.) ; DEREGULATIONISED  
 TRACTS ; DISTRICT ; DISTRICT DISTRICT ; EVIDENCE, II ;  
 LAND (IND. LAW), A ; LAND-REVENUE, V,A,5 ; LEGAL PRACTI-  
 TIONER ; POLICE, I ; POST OFFICE (IND. LAW) ; PUBLIC  
 OFFICER ; REGISTRATION OF DOCUMENTS ; SLAVERY ; STATE  
 PRISONER ; TAXES) . . . . .

Reg.1,1900.



CHITTAGONG HILL TRACTS} FRONTIER POLICE REGU- LATION, 1881 (See CHITTAGONG HILL TRACTS; FRONTIER)	Reg. 3, 1881.
CHITTAGONG PORT COMMISSIONERS ACT, 1887 [See CUSTOMS (SEA); MERCHANT SHIPPING; PORT; PORT COM- MISSIONERS, ETC.] . . . . . }	Ben. Act 4, 1887.
CHITTAGONG PORT COMMISSIONERS (AMENDMENT) ACT, 1903 . . . . . }	Ben. Act 4, 1903.
CHITTAGONG HILL TRACTS.	
Are a Scheduled District . . . . . }	Act 14, 1874, s. 1, Sch I, Pt. III.
Transferred to the Province of Eastern Bengal and Assam . . . . . }	Act 15, 1874, s. 2, Sch. VI, Pt. III.
Power to define boundaries of . . . . . }	Act 7, 1905, preamble, Sch. B.
To constitute a district and a sessions division; Superintendent to be District Magistrate, and Commissioner to be Sessions Judge . . . . . }	Reg. 1, 1900, s. 2(2).
To constitute a general police-district; Commissioner to exercise functions of Inspector General of Police . . . . . }	" ss. 7, 8.
To be administered under rules . . . . . }	" s. 16.
" " by Superintendent . . . . . }	" s. 3.
Power to make rules for administration of . . . . . }	" s. 7.
Enactments in force in . . . . . }	" s. 18.
Eastern Bengal and Assam Act not to apply to, in absence of ex- tension or special provision . . . . . }	" s. 4, Sch
Appointment of Superintendent and other officers in . . . . . }	E. B. & A. Act 1, 1903, s. 18.
Power to invest Assistant Superintendent with powers of Superin- tendent . . . . . }	Reg. 1, 1900, s. 5.
Control over officers; revision . . . . . }	" s. 6.
Local Government to be High Court for certain purposes, and Commissioner to be High Court for others . . . . . }	" s. 17.
Power of Superintendent to withdraw cases . . . . . }	" s. 9.
Arms and ammunition: possession, registration and exportation of firearms and ammunition; manufacture of gunpowder, carrying of daos, spears, and bows and arrows; penalties . . . . . }	" s. 10.
Intoxicating drugs: importation, exportation, manufacture, pos- session or sale of opium, ganja or charas or preparations thereof; penalty . . . . . }	" ss. 11, 12.
Spirit and fermented liquor: importation, sale and exportation of; penalties . . . . . }	" s. 13.
Bar to jurisdiction of Civil and Criminal Courts . . . . . }	" ss. 14, 15.
Frontier Police in—	" s. 19.
Definitions . . . . . }	Reg. 3, 1881, s. 2.
Punishments . . . . . }	" ss. 3 to 5.
" departmental . . . . . }	" s. 6.
Place of imprisonment . . . . . }	" s. 7.
Prosecutions under other laws not barred, but only one punish- ment allowed . . . . . }	" s. 8.
Magisterial powers of Police-officers . . . . . }	" s. 9.
CHOTA NAGPUR INCUMBERED ESTATES ACT, 1876 } (See INCUMBERED ESTATES, VI) . . . . . }	" Act 6, 1876.

CHOTA NAGPUR INCUMBERED ESTATES (AMENDMENT) ACT, { 1884 : : : : : : : : : : 1909 : : : : : : : : : : }	Act5,1884. Ben.Act3,1909.
CHOTA NAGPUR RURAL POLICE ACT, 1887 [See CRIMINAL PROCEDURE (IND.); POLICE, II, III] . . . . . }	Ben.Act5,1887.
CHOTA NAGPUR TENANCY ACT, 1908. (See CHOTA NAGPUR; LANDLORD AND TENANT, III; PUBLIC DEMANDS) . . . }	Ben.Act6,1908.
CHOTA NAGPUR TENURES ACT, 1869. (See LANDLORD AND TENANT, III; LEGAL PRACTITIONER) . . . . . }	Ben.Act2,1869.
CHOTA NAGPUR.	
The Chota Nagpur Division is a Scheduled District . . . . . }	Act14,1874,s.1,Sch.I,Pt. III,No.IV. Act15,1874,s.2,Sch.VI, Pt. III.
Bhuinhari and Majbahas Tenures in. See LANDLORD AND TENANT, III, B	
Incumbered Estates in. See INCUMBERED ESTATES, VI.	
Rural police in. See POLICE, III, D.	
Procedure in suits between landlord and tenant in . . . . .	Ben.Act6,1908.
CHRISTIAN MARRIAGE ACT (INDIAN), 1872 (See MARRIAGE) . . . . . }	Act15,1872.
CHURCH OF ENGLAND	
See BISHOPS AND CLERGY.	
CHURCH OF SCOTLAND KIRK SESSIONS.	
Kirk Sessions to be bodies corporate . . . . .	Act23,1899, s.2.
power of, to hold and dispose of land . . . . .	„ s.3.
CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899 . . . . .	Act23,1899.
CITY OF BOMBAY IMPROVEMENT ACT, 1898 [See IMPROVEMENT; LAND (IND. LAW), MUNICIPALITY, IX; POLICE, I TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT] . . . }	Bom.Act4,1898.
CITY OF BOMBAY IMPROVEMENT AMENDMENT ACT, { 1901 : : : : : : : : : : 1908 : : : : : : : : : : }	Bom.Act4,1901. Bom.Act2,1908.
CITY OF BOMBAY LAND-REVENUE (AMENDING BOM. ACT 2 OF 1876) . . . . . }	Bom.Act3,1900.
CITY OF BOMBAY MUNICIPAL ACT, 1888 [See CUSTOMS; INFECTIOUS DISEASE, MUNICIPALITY, IX, POLICY OF INSURANCE; PUBLIC CONVEYANCE; VACCINATION, III; WEIGHTS AND MEASURES) . . . . . }	Bom.Act3,1888.
CITY OF BOMBAY MUNICIPAL (AMENDMENT) ACT, 1903 . . . . . }	Bom.Act5,1905.
CITY OF BOMBAY MUNICIPAL ACT AMENDMENT ACT, 1888 . . . . . }	Bom.Act4,1888.
CITY OF BOMBAY MUNICIPAL ACT AMENDMENT ACT, 1893 . . . . . }	Bom Act1,1894.
CITY OF BOMBAY MUNICIPALITY (AMENDING BOM. ACT 3 OF 1888) . . . . . }	Bom.Act2,1900. Bom.Act5,1903.
CITY OF BOMBAY MUNICIPAL INVESTMENTS ACT, 1898 (See MUNICIPALITY, IX) . . . . . }	Bom.Act1,1898.

CITY OF BOMBAY POLICE ACT, 1902 [See ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; ANIMAL, B; ARMS, AMMUNITION, ETC.; BROTHEL AND DISORDERLY HOUSE; CRIMINAL LAW (IND.) 6; CRIMINAL PROCEDURE (IND.); CRUELTY TO ANIMALS, 4; DOG; EXCISE; EXPLOSIVE; FIRE, II; GAMING; HOSPITAL; INDIAN MILITARY AND NAVAL FORCES; INFANT; INFECTIOUS DISEASE; MUNICIPALITY, IX; NUISANCE, PLACES OF PUBLIC RESORT OR ENTERTAINMENT; POLICE, I; PORTELS; ROYAL INDIAN MARINE; STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY, WEIGHTS AND MEASURES]			Bom. Act 4, 1902.
CITY OF BOMBAY POLICE CHARGES ACT, 1907			Bom. Act 3, 1907.
CIVIL AND CRIMINAL JUSTICE, ADEN (See ADEN; CAPITAL PUNISHMENT, EUROPEAN BRITISH SUBJECT; EUROPEANS AND AMERICANS)			Act 2, 1864.
CIVIL COURT AMINS ACT, 1856 [1] (See CIVIL COURTS, III)			Act 12, 1856.
CIVIL COURTS ACT (BENGAL, N.-W. PROVINCES AND ASSAM), 1887			Act 12, 1887.
"	"	" (BOMBAY), 1869	Act 14, 1869.
"	"	" " 1880	Act 9, 1880.
"	"	" (MADRAS), 1873	Act 3, 1873.
"	"	" " 1885	Act 21, 1885.
"	"	" (ODDH), 1879	Act 13, 1879.
"	"	" AMENDMENT ACT (BOMBAY), 1895	Bom. Act 3, 1895.
"	"	" (SAMBALPUR), 1906	Ben. Act 4, 1906.
"	"	" REGULATION (UPPER BURMA), 1896	Reg. 1, 1896.
CIVIL COURTS.			
1821.	Ben. Reg. 4, & 7 (Institution of suits by Magistrates).	1852.	Act 15, s. 31 (Presidency Small Cause Courts).
1827.	Bom. Reg. 4, & 26 (Law to be administered, Bombay Presidency).	1884.	Act 18 (Courts, Punjab).
1830.	Bom. Reg. 13 (Jagirdars, etc., Bombay).	1887.	Act 12 (Civil Courts, Assam, Bengal, Province of Agra).
1838.	Act 16 (Land Suits, Bombay).	1891.	Act 14 (Judicial Commissioners, Oudh).
1840.	Act 15 (Agents of foreign Sovereigns, etc., Bombay).	1892.	Act 7 (Madras City Civil Court).
1856.	Act 12 (Amins, Assam, Bengal and Province of Agra).	1896.	U. P. Act 2 (Honorary Munsifs, United Provinces).
1867.	Act 16 (Acting Judges).	"	Reg. 1 (Civil Justice, Upper Burma).
1869.	Act 14 (Civil Courts, Bombay Presidency).	"	Reg. 9, ss. 3 to 8, 71, 72, 89, 93, 94 (Civil Justice, British Baluchistan).
1873.	Act 3 (Civil Courts, Madras Presidency).	1897.	Act 5, s. 4 (Short Titles).
1874.	Act 15, ss. 5 to 7 (Laws Local Extent).	1900.	Act 6 (Courts, Lower Burma).
1877.	Reg. 1 (Courts, Ajmere).	1901.	Reg. 1 (Courts, Coorg).
1879.	Act 13 (Civil Courts, Oudh).	"	Reg. 7 (Law and Justice, North-Western Frontier).
"	Act 17, s. 2A (Dekkan Agriculturists).	1904.	Act 2 (Courts, Central Provinces).
1882.	Act 4, s. 136 (Actionable Claims).	1906.	Ben. Act 4, s. 2 (Civil Courts, Sambalpur).
		[1] 1910.	Bur. Act 1, s. 3 (Process-fees).

[1] This short title was given by Act 5, 1907, s. 4.

[2] Bur Act 1, 1910, will come into force when not sed.

CIVIL COURTS—*contd.*

- I.—GENERALLY.
- II.—AJMERE
- III.—AGRA, BENGAL EASTERN BENGAL } 1. Preliminary  
AND ASSAM } 2. Constitution and Jurisdiction.  
IV.—OUDH } 3. Miscellaneous.
- V.—UNITED PROVINCES } 1. Honorary Munsifs.  
} 2. Village Courts.
- VI.—BOMBAY PRESIDENCY } A—GENERALLY.  
} 1. Preliminary.  
} 2. District Courts.  
} 3. Other Courts.  
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} B—PARTICULAR COURTS.
- VII.—BRITISH BALUCHISTAN
- VIII.—LOWER BURMA } A—GENERALLY.  
} 1. Preliminary.  
} 2. The Chief Court.  
} 3. Subordinate Courts.  
} 4. Miscellaneous.  
} B.—COURTS IN ARAKAN HILLS.  
} C.—VILLAGE COURTS.
- IX.—UPPER BURMA (EXCEPT THE SHAN STATES). } A—GENERALLY.  
} 1. Preliminary.  
} 2. Constitution and Jurisdiction.  
} 3. Miscellaneous.  
} B.—COURTS IN HILL TRACTS.  
} C.—VILLAGE COURTS.
- X.—CENTRAL PROVINCES } 1. Preliminary.  
} 2. Constitution and Jurisdiction.  
} 3. Miscellaneous.
- XI.—COORG } 1. Constitution and Jurisdiction.  
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- XII.—MADRAS PRESIDENCY } A.—GENERALLY.  
} B.—MADRAS CITY } 1. Preliminary.  
CIVIL COURT. } 2. Constitution and  
} 3. Miscellaneous.  
} C.—VILLAGE COURTS.  
} D.—COURTS IN CERTAIN TRACTS IN GANJAM  
AND VIZAGAPATAM.  
} E.—DISTRICT PANCHAYATS.
- XIII.—NORTH-WEST FRONTIER PROVINCE } A.—GENERALLY.  
} 1. Constitution and Jurisdiction.  
} 2. Miscellaneous.  
} B.—COURTS IN UPPER TANAWAL.
- XIV.—PUNJAB } 1. Preliminary.  
} 2. The Chief Court.  
} 3. Subordinate Courts.  
} 4. Miscellaneous.

## I.—GENERALLY.

Special Court. *See* WASTE-LAND.Parsi Matrimonial Courts. *See* MATRIMONIAL CAUSES, C. 2.Courts in Scheduled Districts. *See* SCHEDULED DISTRICTS.

Power to appoint acting Judges . . . . .

Act 16, 1867.

Officers of, not to buy actionable claim . . . . .

Act 4, 1882, s. 136

Procedure of. *See* CIVIL PROCEDURE.

CIVIL COURTS—*contd.*

## II.—AJMERE.

## 1. Preliminary.

Ajmere to form a single District . . . . . }

## 2. Constitution and Jurisdiction. }

Grades of Courts . . . . . }

Appointment and powers of Additional Commissioner . . }

Power of Local Government to appoint Subordinate Judges and  
Munsifs . . . . . }

Original jurisdiction of Courts . . . . . }

Power to invest Subordinate Judge with Small Cause Court  
powers; application of Provincial Small Cause Courts Act . }

Benches of Judges . . . . . }

Appeals . . . . . }

" Limitation of . . . . . }

Reference of case to Commissioner or to High Court, North-West-  
ern Provinces . . . . . }Chief Commissioner to the highest Court of appeal, but certain  
references to be made to High Court, North-Western Provinces }Control over subordinate Courts; distribution and transfer of  
business . . . . . }Special provisions for hearing suits involving questions regarding  
succession to estates of taluqdars, thakurs and jagurdars . }

Reg.1,1877,s.4.

" s.4A,  
(ad.Reg.  
7of1907,  
s.2)." s.5(am.  
Reg.1,  
1910)." ss.6to11  
(s.11am.  
Reg.1,  
1910)." ss.11,12,  
23(s.11)  
am.Reg.1,  
1910)." s.1 (am.  
Reg.1,  
1910)." ss.14to  
16(s.14(a)  
am.Reg.1,  
1910).

" s.22.

" ss.17to  
21.

" s.23.

" ss.24to  
26.

" ss 34to37.

## 3. Miscellaneous.

Pleaders or mukhtars not to be admitted or enrolled under Legal  
Practitioners Act . . . . . }

" s.27.

## III—AGRA, BENGAL AND EASTERN BENGAL AND ASSAM.

## 1. Preliminary.

Act 12, 1850( Amins; declared in force throughout the Province  
of Agra, except the Scheduled Districts . . }

Act15,1874,s.7.

" " short title given to . . . . . }

Act5,1897,s.4.

Act 12, 1887, extends to the whole of Agra, Bengal (except Sam-  
balpur District), Eastern Bengal and Assam,  
except territories which are not subject to the  
ordinary civil jurisdiction of the High Courts . }

Act12,1887,s.1.

" " extended to Sambalpur District . . . . . }

Ben.Act4,1906,s.2.

CIVIL COURTS—*contd.*III.—AGRA, BENGAL AND EASTERN BENGAL AND ASSAM—*contd.*

## 2. Constitution and Jurisdiction.

Classes of Courts . . . . .	Act 12, 1887, s. 3.
Number of Judges and Munsifs; filling of vacancies; additional Judges . . . . .	" ss. 4 to 8.
Administrative control over Courts . . . . .	" s. 9.
Temporary charge of District Court or office of Munsif . . . . .	" ss. 10, 12.
Transfer of proceedings on vacation of office of Subordinate Judge . . . . .	" s. 11.
Continuance of proceedings of Court ceasing to have jurisdiction . . . . .	" s. 17.
Law to be administered . . . . .	" s. 37.
Local limits of jurisdiction . . . . .	" s. 13.
Ordinary jurisdiction . . . . .	" ss. 18, 19.
Appeals . . . . .	" ss. 20, 21.
" transfer of . . . . .	" s. 22.
Exercise by Subordinate Judge or Munsif of jurisdiction of District Court in certain proceedings . . . . .	" ss. 23, 24.
Small Cause Court powers . . . . .	" s. 25.

## 3. Miscellaneous.

Place of sitting . . . . .	" s. 14.
Vacations . . . . .	" s. 15.
Seal . . . . .	" s. 16.
Suspension or removal of Judges or Munsifs . . . . .	" ss. 26 to 29.
Ministerial officers . . . . .	" ss. 30 to 35.
Power to confer powers of Civil Court on officers . . . . .	" s. 36 (am. Ben. Act 4, 1906, s. 6).
Judge or Munsif not to try suit in which he is personally interested . . . . .	" ss. 38, 39.
What parts of Act 12, 1887, apply to Provincial Courts of Small Causes . . . . .	" s. 40.
Assistant Magistrates, etc., to follow procedure prescribed for Collector in instituting suits . . . . .	(Ben. & E. B.) Ben. Reg. 4, 1821, s. 7.
Certain sections of Act 12, 1887, not to apply to Honorary Munsifs in Province of Agra . . . . .	U.P. Act 2, 1896, s. 13.
Civil Court Amins:	
Act 12, 1856, rep. in Bengal and Eastern Bengal, saving of appointments under it and duties of persons holding such appointments in . . . . .	[1] Ben. Act 2, 1899.
Number, appointment and remuneration of . . . . .	Act 12, 1856, ss. 2, 3.
Duties of . . . . .	" s. 5.
Payments by parties for certain work done by . . . . .	" s. 8, 9.
Act 12, 1856, not to prevent Civil Courts in Agra from employing Revenue-officers on Amin's duties in case of land paying revenue to Government . . . . .	Act 12, 1856, s. 10.
Courts in Eastern Duars, Assam. See EASTERN DUARS.	
Courts in certain exceptional tracts in Bengal. See ANGUL DISTRICT, 3, 4; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; SANTHAL PARGANAS.	

[1] Ben. Act 2, 1899, has been extended under Act 14, 1874, to Sylhet when Act 12, 1856, had been declared in force under the same Act.

CIVIL COURTS—*contd.*IV.—**ODDH.**

## 1. Preliminary.

Definitions . . . . .	{	Act13,1879,s.3.
		Act14,1891,s.3.

## 2. Constitution and Jurisdiction.

Grades of Courts . . . . .		Act13,1879,s.4.
Number of Judges and Munsifs; appointments by whom to be made . . . . .	}	ss 5,6.
Additional Judges . . . . .		" s 7.
Temporary charge of office of District Judge . . . . .		" s.8.
Transfer of proceedings on vacation of office of Subordinate Judge . . . . .	}	" s.9.
Status of District Court . . . . .		
Control over Courts . . . . .	}	" s.10.
Power to appoint Additional Judicial Commissioner . . . . .		Act14,1891,s.4.
Local limits of jurisdiction . . . . .		Act13,1879,s.16.
Original jurisdiction . . . . .		" s.17.
Appeals . . . . .		" ss.18,19,20.
Small Cause Court powers . . . . .		" s.24.
Commissioner of the Division deemed to be the District Judge for purposes of Indian Divorce Act, 1869 . . . . .	}	" s.27.
Additional Judicial Commissioner :		
What jurisdiction to be exercised by . . . . .		Act14,1891,s.5(1).
Withdrawal of cases from . . . . .		" s.5(2).
Law applicable to . . . . .		" s.6.
Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together; procedure in case of difference of opinion . . . . .	}	" ss.8,9

## 3. Miscellaneous.

Ministerial Officers . . . . .	{	Act13,1879,ss.11,12,32to
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Place of sitting . . . . .		" s.13.
Judge, etc., not to try suit, etc., in which he is personally interested . . . . .	}	" s.14.
Suspension or removal of Judges, etc. . . . .		" s 23.
Power to make rules as to petition-writers . . . . .		" ss.28to31,35.
Vacations . . . . .		" s.36.
Certain sections of Act 13, 1879, not to apply to Honorary Munsifs . . . . .	}	" s 38.
		U.P.Act2,1896,s 13.

V.—**UNITED PROVINCES.**

## 1. Honorary Munsifs.

Definitions . . . . .		U.P.Act2,1896,s 13.
Appointment and status of, and Benches of Munsifs . . . . .		" ss.4to6,9.
Jurisdiction of, and transfer of cases to . . . . .		" ss.7,8.
Judgments and orders of; execution of decrees of . . . . .		" ss.10,11.
Code of Civil Procedure how far applicable to . . . . .		" ss.9,11.
Certain sections of Act 13, 1879, and Act 12, 1887, not to apply to . . . . .	}	" s 12.
Ministerial Officers of Courts or . . . . .		" s.12.

CIVIL COURTS—*contd.*

V.—UNITED PROVINCES—*contd.*

2. Village Courts.

See VILLAGE COURTS, II.

VI.—BOMBAY PRESIDENCY.

A.—GENERALLY.

1. Preliminary.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . }	Act 15, 1874, s. 5.
Act 14, 1869, applies to territories, other than Sindh, in which Code of Civil Procedure is in force . . . }	Act 14, 1869, s. 1.
Power to extend Act 14, 1869, to excepted territories . . . }	
" create, and alter limits of, districts . . . . .	" s. 3.
" fix position of sadar station . . . . .	" s. 4.
Law to be administered by Courts . . . . .	Bom. Reg. 4, 1827, s. 26.
Bom. Reg. 4, 1827, s. 26, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts. }	Act 15, 1874, s. 5.

2. District Courts.

District Court for each District; appointment, etc., of Judge . . . . .	Act 14, 1869, s. 5.
Place of sitting . . . . .	" s. 6.
Jurisdiction of . . . . .	" ss. 7, 8.
Certain Government suits to be referred to . . . . .	" s. 32.
Control and inspection of other Courts by . . . . .	" s. 9.
Duties of Judge as to references, etc., to High Court, furnishing of returns, etc . . . . . }	" ss. 9, 10.
Seal of Judge . . . . .	" s. 11.
Joint Judge; appointment, powers, etc., of . . . . . }	" ss. 12, 13 (s. 12 rep. pt. Bom Act 1, 1910, s. 3).

3. Other Courts.

Assistant Judges :

Appointment, etc., of . . . . .	" s. 14.
Place of sitting . . . . .	" ss. 15, 19.
Jurisdiction of, and appeals from . . . . .	" ss. 16, 17, 18.
Investment of, with powers of District Judge . . . . .	" s. 19.
Seal of . . . . .	" s. 20.

Subordinate Courts :

Number of Courts . . . . .	" s. 21.
Classes of Judges . . . . .	" s. 24.
Appointment of Subordinate Judges and Joint Subordinate Judges . . . . . }	" ss. 22, 23.
Jurisdiction of, and appeals from . . . . . }	" ss. 22A, 24 to 27.
Jurisdiction of, and provisions applicable to, Joint Subordinate Judges . . . . . }	" s. 23.
Place of sitting . . . . .	" s. 23.
Small Cause Court; powers of . . . . .	" s. 28.
Seal of Judge . . . . .	" s. 29.



CIVIL COURTS—*contd.*VI.—BOMBAY PRESIDENCY—*contd.*A.—GENERALLY—*contd.*3 Other Courts—*contd.*

To refer Government suits to District Judge, except in certain cases . . . . .	Act14,1869,s.32.
Commission of inquiry into misconduct of Judge ; application of Act 37, 1850 . . . . .	s.33.
Suspension or removal of Judge . . . . .	" s.34.

## 4. Miscellaneous.

Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts . . . . .	Act16,1838,s 1(1).
Bar to jurisdiction of Civil Courts in certain cases. See LAND-REVENUE, VI	
Procedure where Judge in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction . . . . .	" ss.2to5.
Temporary vacancies in office of Judge . . . . .	Act14,1869,ss.35to37.
Ministerial officers . . . . .	" ss 38to40.
Petition-writers, licensing of . . . . .	" s 41A.
Rules of High Court as to keeping proceedings and granting copies . . . . .	" s.41.
Process-fees . . . . .	" s.42.
Holidays and vacation . . . . .	" s 43.

## B.—PARTICULAR COURTS.

## Jagirdars, Saranjamidars and Inamidars

Bom. Reg. 13, 1830, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . .	Act15,1874,s 5.
Power of Local Government to grant sanads to Jagirdars, Saranjamidars and Inamidars, empowering them to try suits ; power to withdraw sanads . . . . .	Bom.Reg.13,1830,s 1. App A.
Exclusive jurisdiction of, in the local area subject to their authority ; exceptions in case of Europeans, etc. . . . .	" s 2.
To pass written decree . . . . .	" s.2(3).
Appeal from decision of, when and to whom to lie . . . . .	" ss.3(1)to(3),5.
Decree of, not to be set aside for mere irregularity . . . . .	" s 3(7).
Execution of decrees of . . . . .	" s 41.
Agents of foreign Sovereigns, etc . . . . .	

By . . . . .	Act15,1840.
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## Regulation in such cases . . . . .

Act 15, 1840, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . .	Act15,1874,s 5.
Authorities vested with powers under Bom. Reg. 13, 1830, and Act 15, 1840, to be Subordinate Judges for purposes of Dekkhan Agriculturists' Relief Act, 1879 . . . . .	Act17,1879,s.2A.
Other Special Tribunals . . . . .	

See ADEN, 2, DEKKHAN, ETC. ; MAMLATDAR'S COURT ;  
SINDH.

CIVIL COURTS—*contd.*

## VII—BRITISH BALUCHISTAN.

Law to be administered . . . . .	Reg. 9, 1896, s. 89.
Grades and number of Courts . . . . .	" ss. 3, 5(1).
Appointment of presiding officers . . . . .	" s. 4.
Local limits of jurisdiction . . . . .	" s. 5(2).
Ordinary jurisdiction . . . . .	" s. 6.
Judicial Commissioner to be High Court . . . . .	" s. 7(1).
Deputy Commissioner to be District Court . . . . .	" s. 7(2).
Chief Court of Punjab and Deputy Commissioner to be High Court and District Judge, respectively, for purposes of Indian Divorce Act, 1869 . . . . .	" s. 7(3).
Control over Courts . . . . .	" s. 8.
Distribution of business and transfer of proceedings . . . . .	" ss. 71, 72.
Conferment of powers of Deputy Commissioner on Assistant Commissioner or Extra Assistant Commissioner . . . . .	" s. 93.
Small Cause Court powers . . . . .	" ss. 6, 94.

## VIII—LOWER BURMA

## A.—GENERALLY.

## 1. Preliminary.

Definitions . . . . .	Act 6, 1900, s. 2.
Constitution and alteration of civil divisions, districts, sub-divisions and townships . . . . .	" s. 23.

## 2. The Chief Court.

*See* CHIEF COURT OF LOWER BURMA

## 3. Subordinate Courts.

All other Civil Courts, Lower Burma, to be Subordinate to Chief Court . . . . .	" s. 18(1).
Grades of, and subordination of, Civil Courts . . . . .	" s. 21.
Establishment of Divisional, District, Sub-divisional and Township Courts . . . . .	" s. 24.
Appointment of Judges and Additional Judges . . . . .	" s. 31.
Superintendence and control of Divisional and District Courts over subordinate Courts . . . . .	" s. 22.
Original civil jurisdiction of Courts . . . . .	" s. 25.
Divisional Court to be deemed the District Court under the Indian Divorce Act, 1869. . . . .	" s. 25(d).
Power to invest Courts with Small Cause Court powers . . . . .	" s. 36.
Small Cause Court of Rangoon, power to enhance jurisdiction of, to two thousand rupees; appeal . . . . .	" s. 27(sub. Bur. Act 7, 1907, s. 2).
Appellate jurisdiction of Divisional and District Courts . . . . .	Act 6, 1900, s. 23.
Period of limitation for appeals to Divisional Court . . . . .	" s. 29.
Transfer of cases and distribution of business . . . . .	" ss. 31, 32.
Ministerial officers . . . . .	" s. 35.

## 4. Miscellaneous.

Judge not to try cases in which he is personally interested; procedure in such cases . . . . .	Act 6, 1900, s. 23.
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CIVIL COURTS—*contd.*VIII.—LOWER BURMA—*contd.*A.—GENERALLY—*contd.*4. Miscellaneous—*contd.*

Place of sitting of Courts . . . . .	Act 6, 1900, s. 36.
Seal of Courts . . . . .	" s. 37.
Vacations . . . . .	" s. 38.
Language of Courts . . . . .	" s. 39.
Right of audience of Advocates of abolished Courts preserved .	" s. 40.
Transfer of business of abolished Court . . . . .	" s. 42.
Power to make rules as to service of process . . . . .	" s. 46.
Provisions for pending proceedings . . . . .	[1] Bur. Act 1, 1910, s. 3.
Saving of Regulations in force in hill district of Arakan . . .	Act 6, 1900, ss. 43 to 45.
	" s. 3.

## B.—COURTS IN ARAKAN HILLS

See ARAKAN HILLS, 2.

## C.—VILLAGE COURTS. (See VILLAGE COURTS, 1)

## IX.—UPPER BURMA (EXCEPT THE SHAN STATES).

## A.—GENERALLY.

## 1. Preliminary.

Definitions . . . . .	Reg. 1, 1896, s. 3.
Power to exempt tracts or districts from Reg. 1, 1896 . . .	" s. 1(2).

## 2. Constitution and Jurisdiction.

Grades of Courts ; superintendence and control . . . . .	" s. 8.
Establishment of Courts . . . . .	" s. 9.
Judges and Additional Judges . . . . .	" ss. 17 to 19 (s. 17 am. Reg. 3, 1905, s. 3).
Law to be administered . . . . .	" s. 4.
Area of jurisdiction of each Court . . . . .	" s. 9.
Ordinary original jurisdiction . . . . .	" s. 10(sub. Reg 8, 1900, s. 2)
Small Cause Court powers . . . . .	" s. 11.
Judicial Commissioner to have powers of High Court . . .	" s. 12(1).
Appeals ; second appeal on same grounds as first appeal in certain cases . . . . .	" s. 12(am. Act 13, 1898, Sch 3), s. 13 (sub. Reg. 5, 1903, s. 2).
Power of Courts to distribute business and to transfer and withdraw cases . . . . .	" s. 15(sub. Reg 3, 1905, s. 2).
Transfer of pending cases . . . . .	" s. 23.
Continuance of jurisdiction when business transferred to another Court . . . . .	" s. 16.

[1] Bur. Act 1, 1910, will come into force when notified.

CIVIL COURTS—*contd.*IX.—UPPER BURMA (EXCEPT THE SHAN STATES)—*contd.*A.—GENERALLY—*contd.*

## 3. Miscellaneous.

Judge not to try cases, etc., in which he is personally interested . . . . .	Reg.1,1896,s.20.
Place of sitting; seal . . . . .	" ss.21,22
Holidays . . . . .	" s.34.
Appointment and judicial powers of Registrar . . . . .	" s.33.
Power to make rules . . . . .	" s.30(rep. pt.Bur. Act1,1910 s.4).
Control over Advocates. <i>See</i> LEGAL PRACTITIONER, 6.	[1] Bur Act1,1910,s.3.

## B.—COURTS IN HILL TRACIS.

*See* CHIN HILLS, 3, 4, 7; KACHIN HILLS, 3, 4, 7.

C.—VILLAGE COURTS (*See* VILLAGE COURTS, I.)

## X.—CENTRAL PROVINCES.

## 1. Preliminary

Definition of "value" . . . . .	Act2,1904,s.2.
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## 2. Constitution and Jurisdiction.

## (a) COURT OF JUDICIAL COMMISSIONER.

To be highest Civil Court of appeal . . . . .	Act2,1904,s.3(sub. Act11, 1910,s.2).
Constitution of, appointment of Judicial Commissioner and additional Judicial Commissioners . . . . .	" s.4.
Rank and precedence of Judges: Senior Judge . . . . .	" s.4A
Appellate jurisdiction of . . . . .	" s.15(b).
Exercise of jurisdiction by single Judges and benches Judge when competent to try appeal against decision passed by him- self . . . . .	" ss 5,5A(2),6
Full bench, constitution of; power to refer questions to . . . . .	" ss 5A,5C
Rule of decision when Judges differ . . . . .	" s.6A.
Power of Judicial Commissioner to transfer case . . . . .	" s.5A.
Appointment of Registrar and ministerial officers . . . . .	" s.7.
Power to make rules . . . . .	" s.8.

## (b) SUBORDINATE CIVIL COURTS

Classes of Courts . . . . .	" s.10.
Constitution and alteration of civil divisions and civil districts . . . . .	" s.11.
Establishment of Courts . . . . .	" s.12.
Appointment of Judges, Subordinate Judges, Additional Judges and Munsifs . . . . .	" ss.21to23 (s.22am.Act 11,1910,s.7).
Original jurisdiction of Courts . . . . .	" s.13(am. Act11,1910, s.3).

[1] Bur. Act 1, 1910, s. 11 came into force when not fled.

CIVIL COURTS—*contd.*X.—CENTRAL PROVINCES—*contd.*2. Constitution and Jurisdiction—*contd.*(b) SUBORDINATE CIVIL COURTS—*contd.*

Jurisdiction under the Provincial Small Cause Courts Act, 1887 . . . . .	Act2,1904,ss.14(sub. Act11,1910, s.4),18(2).
Appellate jurisdiction of Courts . . . . .	" s.15(am. Act11,1910, s.5).
Limitation of appeals . . . . .	" s. 16.
Superintendence and control over Courts . . . . .	" s. 17 (am. Act11,1910, s 6).
Transfer of cases . . . . .	" s 18.
Distribution of business . . . . .	" s.19.
Appointment and punishment of ministerial officers . . . . .	" s.24.
3. Miscellaneous.	
Judges not to try cases in which they are personally interested . . . . .	" s.20.
Power of Court of Judicial Commissioner to make rules as to petition-writers, translation, inspection, expenses of witnesses, fees to commissioners, functions of ministerial officers, forms, etc . . . . .	" s.8(sub. Act11,1910, s 2).
Court of Judicial Commissioner to keep registers, etc., and to comply with requisitions from Local Government for papers . . . . .	" s.9(sub. Act 11, 1910, s.21).
Place of sitting of Courts . . . . .	" s.25.
Vacations . . . . .	" s. 26 (am. Act11,1910, s 7).
Seal of Courts . . . . .	" s. 27.

## XI.—COORG

## 1. Constitution and Jurisdiction.

Grades of Courts . . . . .	Reg.1,1901,s 2.
Appointment of presiding officers of Courts . . . . .	" ss.3,4.
Number of subordinate Courts . . . . .	" s.5.
Judicial Commissioner to be High Court, and Commissioner to be District Court . . . . .	" s 7(I),(2).
Control over subordinate Courts . . . . .	" s.7(3).
Original jurisdiction . . . . .	" ss 6,8.
Power to invest Munsifs with Small Cause jurisdiction . . . . .	" s.18.
Appeals . . . . .	" ss.9to12.
Distribution of business among subordinate Courts . . . . .	" s.13.

## 2. Miscellaneous.

Presiding officer not to try suit or appeal in which he is personally interested . . . . .	" ss 14,15.
Appointment and punishment of ministerial officers . . . . .	" s.17.
Power of Judicial Commissioner to hold his Court anywhere in or beyond Coorg . . . . .	" s.19.

CIVIL COURTS—*contd.*

## XII.—MADRAS PRESIDENCY.

## A.—GENERALLY.

## 1. Preliminary.

Act 3, 1873, extends to the whole Presidency except the tracts } under the Agents of Ganjam and Vizagapatam . . . . . }	Act 3, 1873, s. 1.
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## Constitution and Jurisdiction.

Number of District Courts, Subordinate Judges and Munsifs . . . . .	„ ss 3,4.
Filling of vacancies in office of Judge or Munsif . . . . .	„ ss. 6,7,26.
Temporary discharge of duties of District Judge . . . . .	„ s. 25.
Control over Courts . . . . .	„ s. 27.
Law to be administered . . . . .	„ s. 16.
Local limits of jurisdiction . . . . .	„ ss. 10,11.
Ordinary jurisdiction . . . . .	„ s. 12.
Appeals . . . . .	„ s. 13.
Valuation of suits, etc., for purposes of jurisdiction . . . . .	„ s. 14.
Power to require oath or affirmation . . . . .	„ s. 15.
Small Cause Court powers . . . . .	„ s. 23.

## 3. Miscellaneous.

Place of sitting . . . . .	„ s. 5.
Seal . . . . .	„ s. 9.
Vacations . . . . .	„ s. 30.
Judge or Munsif not to try suit, etc., in which he is personally } interested . . . . . }	„ s. 17.
Suspension or removal of Judges or Munsifs . . . . .	„ ss. 18 to 21.
Ministerial officers . . . . . }	„ ss 22, 23, 24, 24A.

## B.—MADRAS CITY CIVIL COURT.

## 1. Preliminary.

Definitions . . . . .	Act 7, 1892, s. 2.
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## 2. Constitution and Jurisdiction.

Power to establish Court ; its jurisdiction . . . . .	„ s. 3.
Appointment, etc., of Judges . . . . .	„ s. 4.
Judge of Court to be <i>ex officio</i> Judge of Small Cause Court ; his } duties as such . . . . . }	„ s. 5.
Powers, etc., of Judges when more than one . . . . .	„ s. 6.
Application of law administered by High Court . . . . .	„ s. 9.
Valuation of immoveable property for purposes of jurisdiction . . . . .	„ s. 9.
Appeals to High Court ; limitation . . . . .	„ s. 15.
Saving of jurisdiction of High Court . . . . .	„ s. 16.

## 3. Miscellaneous.

Ministerial officers . . . . .	„ s. 7.
Process-fees . . . . .	„ s. 10.
Repayment of half fees on settlement before hearing . . . . .	„ s. 13.
Allowance for fees in cases removed to High Court . . . . .	„ s. 14.

CIVIL COURTS—*contd.*XII.—MADRAS PRESIDENCY—*contd.*B.—MADRAS CITY CIVIL COURT—*contd.*3. Miscellaneous—*contd.*

Appointment of Receivers . . . . .	Act 7, 1892, s. 11.
Execution by City Court of decree of Madras Small Cause Court .	Act 15, 1882, s. 31.
Seal . . . . .	Act 7, 1892, s. 17.
Holidays . . . . .	" s. 18.

## C.—VILLAGE COURTS.

See PANCHAYAT; VILLAGE COURTS, I.

## D.—COURTS IN CERTAIN TRACTS IN GANJAM AND VIZAGAPATAM.

See GANJAM AND VIZAGAPATAM.

## E.—DISTRICT PANCHAYATS.

See PANCHAYAT.

## XIII.—NORTH-WEST FRONTIER PROVINCE

## A.—GENERALLY.

## 1. Constitution and Jurisdiction.

## Judicial Commissioner's Court:

Judicial Commissioner; appointment of; to be highest Civil Court of appeal . . . . .	} Reg. 7, 1901, s. 2(2).
Civil jurisdiction; procedure in exercise of; certain provisions of Code of Civil Procedure not to apply . . . . .	
Civil jurisdiction, appellate . . . . .	" ss. 46.
Reference and revision in unappealable cases; court-fees; refund of court-fees . . . . .	" ss. 77 to 79.
Additional power to transfer cases . . . . .	" ss. 83 to 85.
Transfer of appeal or application for revision, where Judicial Commissioner himself passed the decree or order complained of, or is interested therein . . . . .	" s. 87.
Subordinate Courts; classes of Courts . . . . .	" s. 87A (add. Reg. 1, 1906).
Power to divide province into civil divisions and districts . . . . .	" s. 47.
Divisional Courts and District Courts; establishment of; appointment of Divisional and District Judges and Additional Judges . . . . .	" s. 48.
Distribution of business of Divisional Court . . . . .	" ss. 49, 50, 56.
Original jurisdiction of; Divisional Court to be District Court for purposes of Indian Divorce Act, 1869, and other prescribed purposes . . . . .	" s. 51.
Subordinate Judges and Munsifs; number and appointment of . . . . .	" ss. 52, 53.
jurisdiction of . . . . .	" ss. 54, 55.
Power to confer Small Cause Court powers on District Judges, Subordinate Judges and Munsifs . . . . .	" 56, 57.
Special Judges and Benches; power to appoint, and invest with powers of Subordinate Judge or Munsif . . . . .	" s. 59.
Superintendence and control . . . . .	" s. 58.
Transfer, withdrawal and distribution of business . . . . .	" s. 71.
	" ss. 72, 73, 87.

CIVIL COURTS—*contd.*XIII—NORTH-WEST FRONTIER PROVINCE—*contd.*A.—GENERALLY—*contd.*1. Constitution and Jurisdiction—*contd.*

Suspension and removal of Divisional Judges, District Judges, Subordinate Judges and Munsifs . . . . .	Reg.7,1901, s.70.
Appeals from decrees and orders of; second appeal on same ground as first appeal in certain cases; limitation . . . . .	" ss.77 to 82.

## 2. Miscellaneous.

Act 18, 1884, repealed in N.-W. Frontier Province . . . . .	" s 5, Sch. 8.
References to " High Court " or " Chief Court of the Punjab " to be construed as referring to the Judicial Commissioner except in certain cases . . . . .	" s 6(1)(c).
Chief Court of the Punjab to be High Court for North-West Frontier Province for certain purposes . . . . .	" s 6(1)(c).
References to " Chief Controlling Revenue-authority," " Chief Revenue-authority," " Financial Commissioners," " a Financial Commissioner of the Punjab " and " Commissioner " construed as referring to Revenue Commissioner . . . . .	" s.6(1)(d),(e),(f).
References to " Gazette," etc. . . . .	" s. 6(1)(g).
Ministerial officers . . . . .	" ss 43, 44(1)(g), 74, 75.
Power of Judicial Commissioner to make rules as to petition-writers, translation, copying, etc., of papers, language in which Court to be addressed, seals, inspection, copies, forms, powers of ministerial officers, inspection of Courts, etc. . . . .	" s.44.
Books, returns, etc., to be kept and furnished by Judicial Commissioner . . . . .	" s.45.
Place of sitting of Courts . . . . .	" s.88.
Vacations . . . . .	" s.88(1).
Pending cases . . . . .	" s.94.

## B.—COURTS IN UPPER TANAWAL.

See UPPER TANAWAL.

## XIV—PUNJAB

## 1. Preliminary.

Definitions . . . . .	Act 18, 1884, s.3.
Constitution and alteration of divisions and districts . . . . .	" s.18.

## 2. The Chief Court.

See CHIEF COURT OF THE PUNJAB.

## 3. Subordinate Courts.

Classes of Courts . . . . .	" s.17.
Divisional Courts and District Courts . . . . .	
Constitution of, appointment, etc., of Judges . . . . .	" ss.19, 20.
Appointment, etc., of Additional Judges . . . . .	" s.75.
Distribution of business of Divisional Court . . . . .	" s.21.
Jurisdiction of . . . . .	" ss. 22, 23.
Power to direct that Divisional Court shall be deemed to be the District Court for purposes of Indian Divorce Act, 1869 . . . . .	" s.25(1).



CIVIL COURTS—*concl'd.*XIV.—PUNJAB—*cont'd.*3. Subordinate Courts—*cont'd.*Divisional Courts and District Courts—*cont'd.*

Power to confer Small Cause Court powers on District Judge . . . . .	Act 18, 1884, s. 30.
Control of, over other Courts . . . . .	" s. 33.
Transfer and distribution of business by . . . . .	" ss. 34, 35.

## Subordinate Judges and Munsifs .

Number and appointment of . . . . .	" ss. 24, 25,
Jurisdiction of . . . . .	" ss. 20, 27.
Conferral of powers of, on Special Judges and Benches . . . . .	" s. 28.
Power to confer Small Cause Court powers on . . . . .	" s. 30.
Control of Subordinate Judge over other Courts . . . . .	" s. 33.
Suspension and removal of Judges and Munsifs . . . . .	" s. 31.
Ministerial officers . . . . .	" ss. 36 to 38.
Appeals from decrees and orders of, second appeal on same } grounds as first appeal in certain cases; limitation . . . }	" ss. 39 to 44.

## 4. Miscellaneous.

Power to confer powers <i>ex officio</i> . . . . .	Reg. 7, 1901, s. 64.
Powers exerciseable from time to time . . . . .	" s. 65.
Place of sitting of Courts . . . . .	" s. 66.
Holidays . . . . .	" s. 67.

## CIVIL COURTS OF SMALL CAUSES.

See SMALL CAUSE COURTS.

CIVIL JUSTICE REGULATION (ARAKAN HILLS), 1874 (*See* } Reg. 8, 1874.  
ARAKAN HILLS) . . . . . }

CIVIL JUSTICE REGULATION (BRITISH BALUCHISTAN), }  
1896 (*See* CIVIL COURTS, VII; CIVIL PROCEDURE, 12) . } Reg. 9, 1896.

CIVIL JUSTICE AMENDMENT REGULATION (ARAKAN }  
HILLS), 1876 (*See* ARAKAN HILLS) . . . . . } Reg. 5, 1876.

## CIVIL PROCEDURE.

1875. Act 20, ss. 11, 12 (Laws, Central Provinces).	1896 Reg. 9 (Civil Justice, British Baluchistan).
1877. Reg. 1, ss. 28 to 30, 32 (Courts, Ajmere).	1900. Act 3, ss. 34 to 48 (Prisons).
1884. Act 18, ss. 16, 35, 40, 68, 70 (Courts, Punjab)	1900. Act 6, s. 39 (Courts, Lower Burma).
1887. Act 9, ss. 17, 34 (Provincial Courts of Small Causes).	1901. Reg. 1, ss. 11, 12 (Courts, Coorg).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).	1901. Reg. 7, ss. 46, 73, 78, 79, 84 (Law and Justice, North-West Frontier).
1896 Reg. 1, ss. 5 to 7, 24, 30, 31, 35, 37, 38 (Civil Justice, Upper Burma).	1908. Act 5 (Civil Procedure).
	1910. Act 9, s. 25 (Electricity).

## 1. Preliminary.

## 2. Suits in general.

## 3. Incidental Proceedings.

## 4. Suits in particular cases.

## 5. Provisional Remedies.

## 6. Special Proceedings.

## 7. Appeals.

## 8. Reference, Revision and Review.

## 9. Special Rules relating to the Chartered High Courts.

## 10. Rules.

## 11. Miscellaneous Provisions.

## 12. Special and local.

CIVIL PROCEDURE—*contd.*

## 1. Preliminary.

Definitions . . . . .	{	Act 5, 1908, ss 2, 5(2).
Act 5, 1908 (Code of Civil Procedure), not to extend the pecuniary limit of the jurisdiction of any Court . . . . .	}	Sch. I, s 33, r. 1.
Subordination of Courts for purposes of the Code . . . . .	"	s. 6.
Repeals ; savings . . . . .	"	s. 3.
	"	ss. 154 to 158.

## 2. Suits in general.

Jurisdiction of the Courts . . . . .	"	ss. 9, 10.
" " where business of one Court transferred to another	"	s. 160.
<i>Res judicata</i> . . . . .	"	s. 11.
Bar to further suit in certain cases . . . . .	"	s. 12.
Foreign judgment when not conclusive ; presumption as to	"	ss. 13, 14.
Place of suing . . . . .	"	ss. 15 to 20, 120.
Objections as to place of suing and provisions for transfer and withdrawal . . . . .	{	ss. 21 to 25, Sch. I, App. H, Form 2.
Parties and their appearances, applications and acts :		
Parties to suits . . . . .	"	Sch. I, O. 1.
Recognized agents and pleaders . . . . .	{	s. 85, Sch. I, O. 3, O. 27, r. 2.
The frame of the suit . . . . .	"	Sch. I, O. 2.
Institution of suits . . . . .	"	s. 26, Sch. I, O. 4.
Pleadings generally . . . . .	{	Sch. I, O. 6, O. 27, r. 1, O. 29, r. 1, O. 30, r. 1.
Amendment of . . . . .	"	s. 153.
Plaint generally . . . . .	"	Sch. I, O. 7.
" in suit by or against Secretary of State in Council . . . . .	{	s. 79, Sch. I, O. 27, rr. 1, 3.
" in suit by Corporation or Company . . . . .	"	Sch. I, O. 29, r. 1.
" in interpleader suit . . . . .	"	Sch. I, O. 35, r. 1.
" in suit by pauper . . . . .	"	Sch. I, O. 33, r. 8.
" forms of . . . . .	{	Sch. I, App. A. 3, Forms 1 to 49.
" concise statements . . . . .	"	Sch. I, O. 7, r. 9.
Register of suits . . . . .	{	Sch. I, O. 6, r. 2, App. H, Form 14.
Production, etc., of documents . . . . .	{	Sch. I, O. 7, rr. 14 to 18.
Processes		
Summons ; issue of . . . . .	{	s. 27, Sch. I, O. 5, rr. 1 to 8.
" forms of . . . . .	{	Sch. I, App. B., Form 1 to 4.
" service of . . . . .	{	ss. 28, 29, Sch. I, O. 5, rr. 9 to 30, O. 27, r. 4, O. 29, r. 2, O. 30, r. 3, App. B Forms 10, 11.

CIVIL PROCEDURE—*contd.*2. Suits in general—*contd.*Processes—*contd.*

Summons; service of, on Corporation or Company . . . . .	Act 5, 1908, Sch. I, O. 29, r. 2.
"    substitution of letter for . . . . .	"    Sch. I, O. 6, r. 30.
"    on persons in prison or reformatory school. . . . .	"    Act 3, 1900, ss 47, 48.
Cost of service . . . . .	Act 5, 1908, Sch. I, O. 48, r. 1.
Service of notices and orders . . . . .	"    Sch. I, O. 48, r. 2.
Payment of postage on . . . . .	"    s. 143.
Appearance of parties, and consequence of non-appearance . . . . .	"    Sch. I, O. 9.
Written statements and set-off . . . . .	"    Sch. I, O. 8.
"    "    forms of . . . . .	"    Sch. I, App. A. 4, Forms 1 to 15.
Examination of parties by the Court . . . . .	Act 5, 1908, Sch. I, O. 10.
Discovery, admission, inspection, production, impounding and return of documents . . . . .	"    s 30, Sch. I, O. 11, O. 12, O. 13, App. C.
Settlement of issues . . . . .	"    Sch. I, O. 14, App. H, Form 1.
Disposal of suit at first hearing . . . . .	"    Sch. I, O. 15.
Adjournments . . . . .	"    Sch. I, O. 17.
Summoning and attendance of witnesses . . . . .	"    ss. 30(b), 31, 32, 138, Sch. I, O. 16, App. E, Forms 13 to 19.
"    "    "    where witness in prison, etc. . . . .	Act 3, 1900, ss 34 to 43.
Hearing of suit and examination of witnesses . . . . .	Act 5, 1908, Sch. I, O. 18.
Affidavits . . . . .	"    s. 139, Sch. I, O. 19.
Judgment and decree . . . . .	"    s. 33, Sch. I, O. 20, O 34., App. D.
Amendment of clerical or arithmetical errors, accidental slips, etc. . . . .	"    s 152.
Money payable under decree how to be paid . . . . .	"    Sch. I, O. 21, rr. 1, 2.
"    "    "    interest on . . . . .	"    s. 34.
Costs . . . . .	"    s 35, Sch. I, O 20, r. 6.
"    security for . . . . .	"    Sch. I, O 35.
Execution of decrees:	
Application of provisions to execution of orders . . . . .	"    s 36.
Limit of time . . . . .	"    s. 48.
Precepts; issue of . . . . .	"    s. 46, Sch. I, App. E, Form 2.
Court by which decree may be executed . . . . .	"    ss. 37, 38, 82, Sch. I, O. 21, rr. 3 to 9, App. E, Forms 3 to 5.
Transfer of decree for execution . . . . .	"    ss. 39 to 42.
"    "    "    "    to certain foreign Courts . . . . .	"    s 45.
Execution of decrees of British Courts to which provisions of Code relating to execution do not apply . . . . .	"    s. 43.
Execution in British India of decrees of certain foreign Courts . . . . .	"    s. 44.

CIVIL PROCEDURE—*contd.*2. Suits in general—*contd.*Execution of decrees—*contd.*

Application for execution . . . . .	{	Act 5, 1908, Sch. I, O. 21, rr. 10 to 16, App. E, Form 6.
Transfer of decree, execution of . . . . .	"	s. 49.
Execution against legal representative . . . . .	"	ss. 50, 52.
Liability of ancestral property under Hindu law . . . . .	"	s. 53.
Execution against surety . . . . .	{	" s. 145, Sch. I, App. H, Form 13.
Execution against railway property: <i>see</i> RAILWAY, 10.		
Decree for partition of revenue-paying land; execution of . . . . .	"	s. 54.
Staying execution . . . . .	{	" Sch. I, O. 21, rr. 26 to 29.
Questions to be decided by Court executing decree . . . . .	"	s. 47.
Mode of executing decrees . . . . .	{	" s. 51, Sch. I, O. 21, rr. 17 to 25, 30 to 36, App. E, Forms 7 to 26.
Attachment of property . . . . .	{	" ss. 60 to 64, Sch. I, O. 21, rr. 41 to 63.
Electric supply-lines, apparatus, etc, exempted from, in certain cases . . . . .	{	Act 9, 1910, s. 25.
Sale and delivery of property :		
General rules . . . . .	{	Act 5, 1908, ss. 65 to 67, 73, Sch. I, O. 21, rr. 64 to 73, App. E, Forms 27 to 31.
Rules as to moveable property . . . . .	{	" Sch. I, O. 21, rr. 74 to 81, App. E, Forms 32 to 34.
" " immovable property . . . . .	{	" Sch. I, O. 21, rr. 82 to 96, App. E, Forms 35 to 39.
Resistance to execution . . . . .	{	" s. 74, Sch. I, O. 21, rr. 97 to 103, App. E, Forms 40, 41.
Execution by Collector . . . . .	{	" ss. 68 to 72, Sch. III.
Arrest and detention . . . . .	{	" ss. 55 to 59, Sch. I, O. 21, rr. 37 to 40, App. E, Forms 12 to 15.
Sections 55, 57, 59 applied to all civil processes for arrest, sale or payment . . . . .	{	" s. 134.
Restitution on decree being varied or reversed . . . . .	"	s. 144.
Insolvent judgment-debtors. ( <i>See</i> INSOLVENCY.)		
Execution of decree against ward of Court ( <i>See</i> COURT OF WARDS).		

## 3. Incidental Proceedings.

Death, marriage and insolvency of parties . . . . .	Act 5, 1908, Sch. I, O. 22.
Withdrawal and adjustment of suits . . . . .	" Sch. I, O. 23.

CIVIL PROCEDURE—*contd.*3. Incidental Proceedings—*contd.*

Payment into Court . . . . .	{	Act5,1908,Sch.I,O 24,App. H,Form3.
Requiring security for costs . . . . .	{	" Sch.I,O.25,O. 41,r.10,App. G,Form4.
Commissions ; commissions from foreign courts . . . . .	"	ss.75to78.
Commissions to examine witnesses . . . . .	{	" Sch.I,O.26, rr.1to8,App. H,Forms7,8. Act3,1900,ss.44to46.
" for local investigations . . . . .	{	Act5,1908,Sch.I,O.26, rr.9,10,App. H,Form9.
" to examine accounts . . . . .	"	Sch.I,O.26,rr. 11,12,App.H, Form10.
" to make partition . . . . .	{	" Sch.I,O.26, rr.13,14.
" expenses ; powers of, and appearance of witnesses before, commissioner . . . . .	{	" Sch I,O.26,rr 15 to18.

## 4. Suits in particular cases.

Suits by paupers . . . . .	"	Sch.I,O.33.
" by or against Government or public officers . . . . .	{	" ss 79to82,Sch. I,O.27.
" by aliens and by or against foreign or native rulers . . . . .	"	ss.83to87.
" by or against Corporations or Companies . . . . .	"	Sch.I,O.29.
" by or against firms, etc. . . . .	"	Sch.I,O.30.
" by or against trustees, executors or administrators . . . . .	"	Sch.I,O.31.
" " " minors or persons of unsound mind . . . . .	"	Sch.I,O.32.
" " " " " " Consent or agreement on behalf of . . . . .	"	s 147.
" " " wards of Court of Wards. <i>See</i> COURT OF WARDS. . . . .	"	
" " " military men . . . . .	"	Sch I.O.28.
Interpleader . . . . .	"	s.88,Sch.I,O.35.
Mortgage-suits . . . . .	"	Sch.I,O.34.

## 5. Provisional Remedies.

Arrest before judgment . . . . .	{	Act5,1908,s.94(a),Sch. I,O.37,r.8(2), O 38,rr.1to4, App F, Forms1 to4
Attachment before judgment . . . . .	{	" s.94(b),Sch.I, O.38,rr.5 to12,O.37,r. 8(2),App.F, Forms5to7.
Compensation for improper arrest or attachment . . . . .	"	s.95
Temporary injunctions . . . . .	{	" s.94(c),Sch.I, O.38,rr.1 to5,App F, Form8.

CIVIL PROCEDURE—*contd.*5. Provisional Remedies—*contd.*

Interlocutory orders . . . . .	{	Act 5, 1908, s. 94(e), Sch. I, O. 38 rr. 6 to 10.
Appointment of Receivers . . . . .	{	" s. 94(d), Sch. I, O. 40, App. F, Forms 9, 10.

## 6. Special Proceedings.

Reference to arbitration . . . . .	{	" s. 89, Sch. II, App. Forms.
Proceedings or agreement of parties, special case . . . . .	{	" s. 90, Sch. I, O. 36.
Summary procedure on negotiable instruments . . . . .	"	Sch. I, O. 37.
Power to apply summary procedure to other cases . . . . .	"	s. 128(2)(f).
Suits by Advocate General relating to public nuisances and public charities . . . . .	{	" ss. 91 to 93.

## 7. Appeals.

Appeals, general provisions . . . . .	"	ss. 107, 108.
Appeals from original decrees :		
To lie in all cases unless expressly barred . . . . .	"	s. 96.
Preliminary decree, not appealed from, cannot be questioned in appeal from final decree . . . . .	{	" s. 97.
Form of, etc. . . . .	{	" Sch. I, O. 41, rr. 1, 2, App. G, Form 1.
Staying and executing decree under appeal . . . . .	{	" Sch. I, O. 41, rr. 5 to 8, App. G, Forms 2, 3.
Rejection or admission of, procedure . . . . .	{	" s. 98, Sch. I, O. 41, rr. 3, 9 to 29, App. G, Forms 5 to 8, App. H, Form 15.
Judgment in appeal . . . . .	{	" s. 99, Sch. I, O. 41, rr. 3, 30 to 34.
Decree in appeal . . . . .	{	" Sch. I, O. 41, rr. 35 to 37, App. G, Form 9.
Appeal from appellate decree		
When to lie . . . . .	"	ss. 100 to 102.
See also 12, below ; CHIEF COURT OF LOWER BURMA, CHIEF COURT OF THE PUNJAB ; CIVIL COURTS, IXA (2), XIII A (1).		
Procedure, application of Sch. I, O. 41 . . . . .	"	s. 102, Sch. I, O. 42.
Appeals from orders		
When to lie . . . . .	{	" s. 104, Sch. I, O. 43, r. 1
To what Court to lie . . . . .	"	s. 105.
Procedure ; application of Sch. I, O. 41 . . . . .	{	" Sch. I, O. 47, r. 2.
Pauper appeals . . . . .	{	" Sch. I, O. 44, App. G, Forms 10, 11.

CIVIL PROCEDURE—*contd.*7. Appeals—*contd.*

Appeals to the King in Council . . . . .	}	Act 5, 1908, ss. 109 to 112, Sch. I, O. 45, App. G, Forms 12, 13.
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## 8. Reference, Revision and Review.

Reference to, and revision by, High Court . . . . .	}	" ss. 113, 115, Sch. I, O. 46.
Review of judgment . . . . .	}	" s. 114, Sch. I, O. 47, App. G, Form 14.

## 9. Special Rules relating to the Chartered High Courts.

Act 5, 1903 (Code of Civil Procedure), to apply to such Courts, except as specially provided . . . . .	}	" s. 117, Sch. I, O. O. 49, r. 3.
Certain sections of Code not to apply to Court . . . . .	"	s. 120.
Court to take evidence and record judgments and orders by its own rules . . . . .	}	" Sch. I, O. 49, r. 2.
Execution of decree before ascertainment of costs . . . . .	"	s. 118.
Unauthorised persons not to address the Court . . . . .	"	s. 119.
Saving of Court's power to make rules concerning advocates, vakils and attorneys . . . . .	}	" s. 119.
Who may serve process of Court . . . . .	"	Sch. I, O. 49, r. 1.

## 10. Rules.

Rules in Act 5, 1903, Sch. I ; effect of, alteration and repeal of . . . . .	"	s. 121
Rules regulating procedure ; power of chartered High Courts and Chief Courts to make . . . . .	}	" s. 122.
" " " power of other High Courts to make . . . . .	"	s. 125.
" " " matters to be provided for . . . . .	"	s. 128.
" " " procedure for making ; sanction and publication . . . . .	}	" ss. 123 to 127.
Rules by chartered High Courts to regulate their own original civil procedure . . . . .	"	ss. 129, 131.
Rules as to matters other than procedure . . . . .	"	ss. 130, 131.

## 11. Miscellaneous Provisions

Inherent powers of Court . . . . .	"	s. 151.
Suit or proceeding by or against representatives . . . . .	"	s. 146.
Persons under disability ; consent or agreement on behalf of . . . . .	"	s. 147.
Exemptions from personal appearance . . . . .	"	ss. 132, 133.
" " arrest under civil process . . . . .	"	s. 135.
Forms . . . . .	}	Sch. I, O. 48, r. 3, App. A to H, Sch. II, App.
Power to enlarge time and make up deficiency of court-fees . . . . .	"	ss. 148, 149.
Orders and notices to be in writing . . . . .	"	s. 142.
Postage on notice, summons, etc. . . . .	"	s. 143.
Language of subordinate Courts . . . . .	"	s. 137.
Assessors in causes of salvage, etc. . . . .	"	s. 140.

#### 11. Miscellaneous Provisions—*contd.*

Power to report to High Court question whether suit is cognizable by Court of Small Causes . . . . .	{	Act 15, 1908, Sch. I, O. 46, r. 6.
Power of District Court to submit for revision proceedings had under mistake as to jurisdiction in Small Causes . . . . .	{	„ Sch. I, O. 46, r. 7.
Application of Act 5, 1908, to proceedings in Civil Court other than suits and appeals . . . . .	{	„ s. 141.
Procedure when person to be arrested or property to be attached is outside district . . . . .	{	„ s. 136.
Service in British India of summonses issued by certain Civil or Revenue Courts situate beyond British India . . . . .	{	„ s. 29.
Release of judgment-debtor on ground of illness . . . . .	{	„ s. 59.

Act 5, 1908 (Code of Civil Procedure), does not extend <i>proprio</i>	}	"	s. 1
rigore to Scheduled Districts . . . . .			
Code not to affect any special or local law or any remedy of land-	}	"	s. 4
holder or landlord for recovery of rent of agricultural land			
from the produce thereof . . . . .			
Power of Local Government to modify Code in its application	}	"	s. 5.
to Revenue Courts . . . . .			
What portions of Code do not extend to—			

Provincial Courts of Small Causes . . . . .	}	" s.7, Sch I, O. 50, Act 9, 1887.
Presidency " " " . . . . .		s.17. Act 5, 1908, Sch. I, O. 51.
Code not to affect any special jurisdiction or procedure . . . . .		" s.4(I).
Code modified. (See Act 5, 1908, s. 158)—		
in Central Provinces . . . . .		Act 20, 1875, ss. 11, 12.
in the Punjab . . . . .	}	Act 18, 1884, ss. 16, 35, 40. 68, 70.
in the North-West Frontier Province . . . . .		Reg 7, 1901, ss. 46, 73, 78. 79, 81.

Certain persons deemed to be "recognized agents," in addition to those mentioned in Code	}	Reg.1,1877,s.28.
Mode of recording evidence in suits between landlord and tenant		Reg 1,1877,s.29(am Reg 1, 1910).
Certain property exempted from attachment and sale in execution of decree	}	" s.30(am.Reg. 1,1910).
Code how far to apply to		" s.32.

Saving of enactments . . . . .	Reg.9,1896,	ss.9.
Prior adjudications and pending suits . . . . .	"	ss.10,11.
Appearances, applications and acts by parties . . . . .	"	ss.12to14.
Exemptions from personal appearance . . . . .	"	ss.16,61.
Institution of suits . . . . .	"	ss.15to18.
Service of summons on defendants . . . . .	"	ss.19to29.
Consequences of non-appearance of parties . . . . .	"	ss.30to34.
Fixing issues, and preparations for the hearing . . . . .	"	ss.35to42.



CIVIL PROCEDURE—*contd.*12. Special and Local—*contd.*British Baluchistan—*contd.*

The hearing; taking of evidence . . . . .	Reg. 9, 1896, ss. 43 to 45.
Filing of documents admitted in evidence . . . . .	" s. 62.
Mode of admission in evidence of entry in book . . . . .	" s. 63.
Judgments . . . . .	" ss. 46 to 53.
Amount of interest allowable . . . . .	" s. 50.
Injunctions . . . . .	" ss. 54 to 57.
Power to add parties . . . . .	" s. 58.
Certain suits triable with the aid of assessors . . . . .	" s. 59.
Execution of decrees . . . . .	" ss. 64 to 66.
Appeal, revision and review . . . . .	" ss. 67 to 70, 73.
Reference to arbitration . . . . .	" ss. 74 to 87.
Disposal of pending cases . . . . .	" s. 88.
Power of Judicial Commissioner to make rules . . . . .	" s. 90.
Procedure prescribed for suits to be followed in other proceedings . . . . .	" s. 91.
More irregularity not to invalidate proceedings . . . . .	" s. 92.
References in Indian Limitation Act to Code of Civil Procedure to be read as applying to Reg. 9, 1896 . . . . .	" s. 95.

## Lower Burma (except Arakan Hills):

Language of complaints and of record of evidence in Courts in . . . . .	Act 6, 1900, s. 39.
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## Upper Burma (except the Shan States):

" Recognized agents " . . . . .	Reg 1, 1896, s. 37
Certain suits triable with the aid of assessors . . . . .	" s. 5.
Saving of prior proceedings . . . . .	" s. 7.
Execution of, and appeals from, past decrees and orders . . . . .	" s. 24
Power to make rules as to process-fees, expenses of witnesses and assessors, copies, translations, petition-writers and judicial powers of ministerial officers . . . . .	Reg 1, 1896, ss. 30, (rep pt [1] Bur. Act 1, 1910, s. 4), 38. [2] Bur. Act 1, 1910, s. 3.
Judicial Commissioner to comply with requisitions of Local Government for records, etc. . . . .	Reg. 1, 1896, s. 31.
Language of Courts . . . . .	" ss. 30(d), 35

## Coorg:

Provisions relating to second appeals in Code modified in . . . . .	Reg 1, 1901, ss. 11, 12.
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Practice in granting probates and letters of administration. *See* ADMINISTRATION (IND. LAW), 2.

Special procedure under laws relating to landlord and tenant:

*See* LANDLORD AND TENANT, II, A, 3, III, A, 6; B; IV, A, 6; B; VI, 3; VIII, A, 3; IX, 6; X, 3; XI, A, 6.

Special procedure under laws relating to land-revenue:

*See* LAND-REVENUE, II, 6; III, 2, 3(c), (b), (c), 5; IV, V, A, 2, 3(a), (b), (c); E, 2, 3, 4, 5; VI; VII, A, 3(b), 6; C, VIII, 3, 5; IX, 4; X, 1; XI, 2, 3(d); XII, 7; XIII, 4(b); XIV; XV, 2, 4, 5; XVI, 2, 3(a), (d), 5.

For other special and local laws, *see* ADEN, 2; ANDAMAN AND NICOBAR ISLANDS, (3); ANGUL, 4; ARAKAN HILLS, 2; BOMBAY, 1; CENTRAL PROVINCES, 2; CHIEF COURT OF LOWER BURMA; CHIEF COURT OF THE PUNJAB; CHITTAGONG HILL

[1] Bur. Act 1, 1910, will come into force when not Re 1.

CIVIL PROCEDURE—*concll*

TRACTS; CHOTA NAGPUR; CIVIL COURTS, V, 1; VI, B, XIII, A, 1; DEKKHAN, ETC.; DEKKHAN AGRICULTURIST, 2, 3, 5; EASTERN DUARS; FOREST, 7; GANJAM AND VIZAGAPATAM; INDIGO; LUNATIC, 2, 3; MAMLATDAR'S COURT; MATRIMONIAL CAUSES, A, 3; B, 2; C; MERCHANT SHIPPING, 8 (a); MORTGAGE, 1; QUDH, 2; PANCHAYAT; PARTITION; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY, 5 (a); SANTHAL PARGANAS; SCHEDULED DISTRICTS; SINDH; SMALL CAUSE COURTS, A, 2; B, 3, 5; VILLAGE, F, 1 (b); VILLAGE COURTS; WASTE LAND.

CIVIL SERVICE OF INDIA. *See* GOVERNMENT OF INDIA, 2 (d).

CLERGY. *See* BISHOPS AND CLERGY.

CLOSING OF RAILWAY. *See* RAILWAY, 4.

CLOSING OF TRAMWAY. *See* TRAMWAY, & TRAMWAYS, A, 6, 7.

COAL. *See* MINES AND MINERALS.

## COASTING TRADE.

Freedom of foreign ships to engage in . . . . .	16-7V.c.107,s.329,Act5, 1850.
Act 5, 1850, declared in force throughout British India, except as regards the Scheduled Districts . . . . .	Act15,1874,s.3.
Power to regulate . . . . .	57-8V.c.60,s.736.
Regulation of. <i>See</i> CUSTOMS (SEA), 2 (d).	
Customs-duties on what articles leviable. <i>See</i> CUSTOMS (SEA), 1.	

COASTING VESSELS, BOMBAY (*See* MERCHANT SHIPPING, 4) Act19,1838.

COAST LIGHTS ACT (BURMA), 1879. (*See* MERCHANT SHIPPING, 10) Act9,1879.

COAST LIGHTS ACT (MADRAS), 1904 (*See* MERCHANT SHIPPING, 10) Act9,1904.

COCOS ISLAND. *See* LITTLE COCOS ISLAND.

CODE OF CIVIL PROCEDURE, 1908 [*See* ADVOCATE GENERAL; ATTACHMENT; CIVIL PROCEDURE, COMPANY, COURT-FEES, 3; ENDOWMENT; EVIDENCE, II, INDIAN MILITARY AND NAVAL FORCES, JUDICIAL COMMITTEE, LANDLORD AND TENANT (GENERALLY); LAND-REVENUE, I; LEGAL PRACTITIONER; MORTGAGE; NEGOTIABLE INSTRUMENTS; OATH AND AFFIRMATION; PARTITION AND UNION OF IMMOVEABLE PROPERTY, PARTNERSHIP, PAUPER, PENSIONS AND GOVERNMENT GRANTS, PRISONER (IND. LAW), SMALL CAUSE COURTS] Act5,1908.

CODE OF CRIMINAL PROCEDURE, 1898 [*See* ADVOCATE GENERAL; ARMS, AMMUNITION AND MILITARY STORES, ATTACHMENT; BAIL, CAPITAL PUNISHMENT, COMPOUNDING OFFENCES; COMPULSORY LABOUR, CRIMINAL LAW (IND.), CRIMINAL PROCEDURE (IND.); DRUGS, EUROPEAN BRITISH SUBJECT, EVIDENCE II, 6, FOOD AND DRINK, HABEAS CORPUS, INDIAN MILITARY AND NAVAL FORCES, JUSTICE OF THE PEACE, LEGAL PRACTITIONER, POST OFFICE (IND. LAW), PRISONER (IND. LAW); RAILWAY, RAPE, ROYAL INDIAN MARINE, STATE PRISONER, TELEGRAPH, VOLUNTEER, WEIGHTS AND MEASURES, YOUTHFUL OFFENDER] Act 5,1898.

COFFEE STEALING PREVENTION ACT (MADRAS) 1878

Mad Act5,1878.

## COFFEE.

Madras Act 8, 1878 [1], may be extended to any place in Madras {	(Co., Mad.) Mad. Act 8, 1878,
Presidency by notification . . . . .	s. 2.
Definitions . . . . .	Mad. Act, 8, 1878, s. 3.
Not to be purchased, taken in barter, exchanged or received—	
from labourer employed on coffee-estate . . . . .	" s. 4.
from other person, unless particulars immediately recorded ;	
exception as to coffee purchased, etc., for <i>bond fide</i> consump-	" ss. 5, 7.
tion ; additional particulars to be recorded when coffee pur-	
chased, etc., from carrier . . . . .	
Person in charge of coffee estate—	
to keep books ; penalty . . . . .	(Mad.) Mad. Act 8,
	1878, ss. 5A,
	15, 17.
to furnish returns and supply information ; penalty . . . . .	(Mad.) Mad. Act 8, 1878, ss.
	15, 17.
Inspection of records . . . . .	(Co., Mad.) " s. 6.
Penalty for breach of ss. 4 to 7 . . . . .	" s. 8.
" on labourer found in possession of green coffee for which	
he cannot account . . . . .	" ss. 9, 13.
Not to be earned from coffee-estate, etc., without written permis-	
sion of owner or his agent ; penalty . . . . .	" s. 10.
Not to be gathered or removed between sunset and sunrise ;	
penalty . . . . .	" ss. 11, 12.
Disposal of fines ; rewards to informers . . . . .	" s. 14.
Power to make rules for carrying out purposes of Act . . . . .	(Mad.) " s. 16.

COFFEE-HOUSE. *See* PLACES OF PUBLIC RESORT, ETC.

## COGNIZABLE CASE AND COGNIZABLE OFFENCE defined.

*See* WORDS AND PHRASES.

COINAGE ACT { 1870 } ( <i>See</i> COINAGE, I) . . . . .	33-4V c. 10,
1891	54-5V. c. 72.
COINAGE ACT (INDIAN), 1906 ( <i>See</i> COINAGE, II) . . . . .	Act 3, 1906.
COINAGE (COLONIAL OFFENCES) ACT, 1853 [2] ( <i>See</i> COIN-	
AGE, I) . . . . .	16-7V. c. 48.

## COINAGE.

## I.—ENGLISH LAW.

<i>Extension to British Possessions of Acts 2 &amp; 3 Will. 4, c. 31, and</i>	
7 Will. 4 & 1 Vict., c. 90, as to offences in relation to coin, ex-	
cept where other provisions are made by Local Legislatures . . . . .	16-7V. c. 48.
Coinage Act, 1870 . . . . .	33-4V. c. 10.
" " 1891 . . . . .	54-5V. c. 72.
Extent of Act . . . . .	33-4V. c. 10, ss. 19, 11(9).
Standard of coins ; remedy allocated . . . . .	54-5V. c. 72,
	ss. 2, 3.
Legal tender . . . . .	33-34V. c. 10, ss. 4, 6, 11(1),
	(6), (7), (8).
Coining of bullion by Mint . . . . .	" ss. 8, 9, 10.
Denominations, designs, dimensions of coins ; calling in dimi-	" s. 11(1), (2),
nished coins . . . . .	(3), (5).
Cutting, etc., diminished or called-in coin . . . . .	" s. 7.

[1] Mad Act 8, 1878 (but not the amending Act, Y. ad. Act 2, 1900), has been extended to Coorg by notification under the Scheduled Districts Act, 1974.

[2] This short title was given by 59 & 63 Vict. c. 14.

COINAGE—*contd.*

I.—ENGLISH LAW—*contd.*

Coinage Act—*contd.*

Exchange of diminished gold coin . . . . .	54-5V,c.72,s.1.
Prohibition of other coins and tokens . . . . .	34-34V,c.10,s.5.
Regulations by Her Majesty by proclamation . . . . .	" s.11.
" by the Treasury . . . . .	" s.13.
Trial of the pyx. . . . .	" s.12.
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Standard trial plates and weights . . . . .	" ss.16,17.
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II.—INDIAN LAW.

1. Coins of Government of India.

Act 3, 1906, extends to whole of British India including British Baluchistan, Santhal Parganas and Spiti . . . . .	Act 3,1906,s.1.
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Mint; establishment and abolition of . . . . .	" s.3.
What coins may be coined at Mint; standard, weight and fine- ness of coins; remedy allowed . . . . .	" ss.4to9,23.
Dimensions and designs of coins . . . . .	" s.10.
Legal tender; what coins to be . . . . .	" ss.11to15.
Cutting, etc., diminished, counterfeit or called-in coin . . . .	" ss.16to20.
Bar to proceedings for acts done under Act in good faith . . .	" s.22.
Power to give directions and make rules for working of Act . .	" s.21.

2. Coins of Native States.

Coinage of money for Native States at Mint in British India; } power to declare such money to be legal tender in British India }	Act9,1876
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3. Metal Tokens.

Act 1, 1889, declared in force in Upper Burma, except the Shan States . . . . .	Act13,1898,s.4.
Definition of "issue" . . . . .	Act 1,1889,s.2.
Prohibition of making by private persons of pieces of metal to be used as money . . . . .	" s.3.
Penalty for unlawful making, issue or possession of such pieces; } cognizance of offences . . . . .	" ss.4,5.
Penalty for importation of such pieces . . . . .	" s.6.
Prohibition of receipt by Local Authorities or Railway Adminis- trations as money of metal which is not coin . . . . .	" s.8.

4. Miscellaneous.

Prohibition of importation of counterfeit coin or coin not of established standard . . . . .	ActS 1878,s.18,14.
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Offences relating to coin See CRIMINAL LAW (INDIAN), 10.

COLLECTION OF LAND-REVENUE.

By and district in which it accrued. See LAND-REVENUE L  
See UNDER LAND REVENUE.

COLLECTION OF TAXES BY RAILWAY ADMINISTRATION. (See CANTONMENT; MUNICIPALITY, XVII; RAILWAY)	U.P. Act 2, 1899.
COLLECTOR.	
Defined. See WORDS AND PHRASES.	
See LAND-REVENUE, III, 3; IV; V, A, 2; B, 2; VII, A, 2; VIII, 2; XIII, 2; XVI, 2.	
COLLISION. See MERCHANT SHIPPING, 7 (d).	
COLONIAL BISHOPS ACT, 1852 [1]	15-6V.c.52.
1853 [1]	16-7V.c.49.
COLONIAL "CLERGY" ACT, 1874. } (See BISHOPS AND CLERGY; OATH AND AFFIRMATION).	37-8V.c.77.
COLONIAL COPYRIGHT ACT, 1847. [1] (See COPYRIGHT)	10-IV.c.95.
COLONIAL COURTS OF ADMIRALTY ACT, 1890. (See COLONIAL COURT OF ADMIRALTY, ETC., FOREIGN JURISDICTION; JUDICIAL COMMITTEE; PRIZE; SLAVE TRADE)	53-4V.c.27.
COLONIAL COURTS OF ADMIRALTY (INDIA) ACT, 1891 (See ADEN; COLONIAL COURT OF ADMIRALTY, ETC., COURTS; FEES 2; HIGH COURT; SIND)	Act 16, 1891.
COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.	
1870. 33-4 V. c. 90, ss. 14 to 24, 27, 30 (Foreign Enlistment)	1891. Act 16 (Colonial Courts of Admiralty, India).
1890. 53-4 V. c. 27 (Colonial Courts of Admiralty).	1894. 57-8 V. c. 39, ss. 3, 4 (Prize Courts).
Definition of Colonial Court of Admiralty and abolition of Vice-Admiralty Courts	53-4V.c.27, ss. 2(1), 17.
Power of Colonial legislature, by law reserved for Her Majesty's assent, to constitute Courts, Colonial Courts of Admiralty and to limit jurisdiction	" ss. 3, 4.
Certain Indian Courts declared to be Colonial Courts of Admiralty	Act 16, 1891, s. 2.
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Jurisdiction of Courts—	
generally	53-4V.c.27, s. 2.
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" offences against and ships detained under Foreign Enlistment Act	33-4V.c. 90, ss. 14 to 24, 30.
" piracy. See Piracy.	
" prize (and see Prize).	53-4V.c.27, s. 2(b).
" naval discipline, etc.	" s. 2(d).
" slave trade matters	" s. 2(b).
Power for Her Majesty, by Order in Council, to apply Act to Courts under Foreign Jurisdiction Acts	" s. 12.
	" s. 9.
in favour of Vice-Admiralty Courts	
Provisions as to Droits of Admiralty	" s. 8.
Rules of procedure and fees and costs generally	" s. 7.
" " " " of Vice-Admiralty Courts	57-8V.c.39, s. 4.

[1] This short title was given by 59 &amp; 60 Vic t. c. 14.

COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT—*contd.*

Rules of procedure and fees and costs of Prize Courts . . . . .	57-8V.c.39,s.3.
" " " " in slave trade matters . . . . .	53-4V.c.27,s.13(1),(2)
Application of Court-fees Act, VII of 1870 . . . . .	Act16,1891,s.4.
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" to Her Majesty in Council (see also JUDICIAL COMMITTEE ; PRIZE, 2) . . . . .	" s.6.
" " " " in cases under Foreign Enlistment Act . . . . .	33-4V.c.90,ss.27,30.
" " " " in slave trade matters . . . . .	53-4V.c.27,s.6,13(3).
Saving of power to appoint a Vice-Admiral in default of appointment, Governor of possession to be Vice-Admiral <i>ex officio</i> . . . . .	" s.10.
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" " commencement of Act 16, 1891 . . . . .	s.16.
COLONIAL LETTERS PATENT ACT, 1863.[ <sup>1</sup> ] (See PATENT) . . . . .	Act16,1891,s.1.
COLONIAL MARRIAGES (DECEASED WIFE'S SISTER) ACT, 1906 (See MARRIAGE I, 1 (b).) . . . . .	26-7V.c.76.
COLONIAL OFFICES ACT, 1830 [ <sup>1</sup> ] (See CROWN, 3) . . . . .	6Edw.7,c.50.
COLONIAL PRISONERS REMOVAL ACT, 1884 (See COLONIAL PRISONER) . . . . .	1W.4.c.4.
COLONIAL PRISONER.	47-8V.c.31.
Removal of prisoner by sea from one place in colony to another ; continuance of legal custody, etc . . . . .	44-5V.c.60,ss.25,28.
Removal in certain cases of prisoners under sentence from one British possession to another or to United Kingdom for purpose of punishment . . . . .	47-8V.c.31,s.2.
Return of removed prisoner to British Possession whence removed . . . . .	" s.3.
Regulations as to removal . . . . .	" s.4.
Who to be removing authority . . . . .	" s.5.
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" " to places under Foreign Jurisdiction Acts . . . . .	" s.15.
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COLONIAL PROBATES ACT, 1892 [See ADMINISTRATION OF ESTATES (ENG.-LAW), FOREIGN JURISDICTION] . . . . .	55-6V.c.6.
COLONIAL SOLICITORS ACT, 1900 (See SOLICITOR) . . . . .	63-4V.c.14.
(COLONIES) EVIDENCE ACT, 1843[ <sup>1</sup> ] (See EVIDENCE) . . . . .	6-7V.c.22.
COMMANDER-IN-CHIEF, salary of . . . . .	16-17V.c.95,s.35.
" " filling up vacancy in office of . . . . .	33G.3,c.52,ss.25to27.
(See also INDIAN MILITARY AND NAVAL FORCES, II, III, 4)	

<sup>3</sup> This short title was given by 33 & 40 Vict. c. 14.

## COMMISSION.

For taking evidence. *See* EVIDENCE, I, 1.

Under Code of Civil Procedure, to examine witnesses, etc. *See* CIVIL PROCEDURE, 3.

For examination of persons in prison or reformatory school . . .

Act 3, 1900, ss. 44-46.

To ascertain net profits or market value, for purpose of court-fees

Act 7, 1870, ss. 9, 10.

To examine past registers or records of births, deaths, marriages, etc. *See* REGISTRATION OF BIRTHS, ETC., A, 4.

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COMMISSIONER defined. *See* WORDS AND PHRASES.

COMMISSIONER IN SIND (*See* SIND) . . . . .

Act 5, 1868.

COMMISSIONER OF DIVISION.

*See* LAND-REVENUE, III, 2; VII, A, 2; XVI, 2.

COMMISSIONERS FOR OATHS ACT, 1880 (*See* AFFIDAVIT) . . . . .

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" " " " 1891 (*See* AFFIDAVIT; }  
MERCHANT SHIPPING) }

54-5V.c.50.

" " " (PRIZE) . . . . .

7Edw.7,c.25.

COMMISSIONERS FOR PROCEEDINGS, ACT, 1907. *See* AFFIDAVIT.

COMMON CARRIER. *See* CARRIER.

COMMON GAMING-HOUSE. *See* GAMING.

COMPANIES ACT (INDIAN), 1882. *See* INDIAN COMPANIES ACT, 1882.

COMPANIES (MEMORANDUM OF ASSOCIATION) ACT (INDIAN), 1895. *See* INDIAN COMPANIES (MEMORANDUM OF ASSOCIATION) ACT, 1895.

COMPANIES (CONSOLIDATION) ACT, 1908 [*See* COMPANY, }  
LAND (ENG.-LAW)] . . . . . }

8Edw.7,c.69.

COMPANIES (BRANCH REGISTERS) ACT (INDIAN), 1900.

*See* INDIAN COMPANIES (BRANCH REGISTERS) ACT, 1900.

## COMPANY.

1876. Act 11, s. 67 (Presidency Banks).

1882. Act 6 (Companies).

1895. Act 12 (Alteration of objects or form  
of constitution).

1898. Act 13, s. 4 (Laws, Burma).

1900. Act 9, s. 3 (Arbitration).

1900. Act 4 (Branch Registers).

1904. Act 10, s. 28 (Co-operative Credit).

1907. Act 3, s. 6 (Insolvency).

1908. 8 Edw. 7, c. 69, ss. 34 to 36, 274, 275,  
295, 296 (Consolidation).

" Act 5, Sch. I, O. 29 (Civil Procedure)

1909. Act 3, s. 107 (Insolvency).

1. Preliminary.

2. Companies under the Indian Companies Act, 1882.

3. Other Companies.

4. Miscellaneous.

## 1. Preliminary.

Act 6, 1882, extends to whole of British India . . . . .

Act 6, 1882, s. 1.

" " declared in force in Upper Burma generally {except  
the Shan States} . . . . . }

Act 13, 1893, s. 4,  
Sch. I.

" " not to apply to Co-operative Credit Societies . . . . .

Act 10, 1904, s. 28.

Definition of "Court," "District Court" and "Insurance  
Company" . . . . . }

Act 6, 1882, s. 3.

Definition of "deed of settlement" and "High Court" . . . . .

Act 12, 1895, s. 3.

COMPANY—*contd.*

## 2. Companies under the Indian Companies Act, 1882.

## (a) CONSTITUTION, MANAGEMENT, ETC.

Prohibition of companies, associations or partnerships exceeding certain number unless registered, etc. . . . . }	Act 6, 1882, s. 4.
Associations not for profit . . . . . }	" s. 26.
Identity of name of Companies prohibited . . . . . }	" s. 43.
Memorandum of association . . . . . }	" ss. 6 to 11, 40 to 42, Sch. I, Tables B, C.
" " power to alter . . . . . }	" s. 12, 13, 19, 21, 24.
Power of company to alter objects or form of constitution, subject to confirmation of High Court; registration of confirming order, etc. . . . . }	Act 12, 1895, ss. 4 to 10.
Power of company to pay interest out of capital in certain cases }	Act 6, 1882, s. 73A (ins. Act 4, 1910)
" " to re-issue reduced debentures in certain cases }	" s. 73B (ins. Act 4, 1910)
Articles of association . . . . . }	" ss. 37 to 42, Sch. I, Tables A, B, C.
Membership, and liability of members . . . . . }	" ss. 6 to 8, 44 to 46, 48 to 50, 54, 61, 62, 73.
Liability of directors may be unlimited . . . . . }	" ss. 7, 76.
Shares; sub-division of . . . . . }	" ss. 24, 25.
" calls upon . . . . . }	" ss. 27, 28.
" registration of transfer of . . . . . }	" s. 29.
" share-warrants to bearer . . . . . }	" ss. 30 to 35.
" consolidation of, and conversion into stock . . . . . }	" ss. 51, 52.
General meetings, and special resolutions . . . . . }	" ss. 77 to 80.
Registered office, and publication of name . . . . . }	" ss. 63 to 66.
Notice of increase of capital or members . . . . . }	" s. 57.
Reduction of capital and shares . . . . . }	" ss. 13 to 23.
Publication of statements by banking, insurance, deposit, provident and benefit societies . . . . . }	" s. 69.
Register of members . . . . . }	" ss. 47, 53, 55, 56, 58 to 60.
" directors of certain Companies . . . . . }	" ss. 70, 71.
" charges on company's property . . . . . }	" s. 68.
Branch registers in the United Kingdom . . . . . }	Act 4, 1900.
Change of name . . . . . }	" s. 43.
Contracts, bills of exchange, etc., by Company . . . . . }	" ss. 67, 72.
" specification of, in prospectus . . . . . }	" s. 85.
Execution by Company of deeds abroad, by attorney (Company seal) . . . . . }	" s. 81.
Examination of affairs by inspectors . . . . . }	" ss. 2 to 7.
Service and authentication of notices . . . . . }	" ss. 9 to 11.
Legal proceedings and evidence . . . . . }	" ss. 2 to 4.
Costs security by Company for . . . . . }	" s. 92.
Forms, alteration of forms . . . . . }	" ss. 95, Sch. II.
Arbitration in disputes with Company . . . . . }	" ss. 96 to 123.



COMPANY—*contd.*2. Companies under the Indian Companies Act, 1882—*contd.*

## (b) WINDING-UP.

Meaning of "contributory" . . . . .	Act 6, 1882, s. 124.
Liability of contributories . . . . .	" ss. 125 to 127.
Winding-up by Court . . . . .	" ss. 128 to 140.
" " " transfer of proceedings by High Court to } District Court . . . . . }	" ss. 218, 219.
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Official Liquidator :	
Power to Court to appoint . . . . .	" s. 141.
Resignation and remuneration of . . . . .	" s. 142.
Style and duties of . . . . .	" s. 143.
Powers of . . . . .	" ss. 144, 145.
Employment of attorney, etc. . . . .	" s. 146.
Ordinary powers and duties of Court . . . . .	" ss. 147 to 161.
Extraordinary powers of Court . . . . .	" ss. 162 to 165.
Enforcement of, and appeal from, orders of Court . . . . .	" ss. 166 to 169.
Evidence . . . . .	" ss. 170 to 172.
Avoidance of dispositions made after commencement of winding- } up . . . . . }	" s. 197.
Books, etc., of Company to be evidence . . . . .	" s. 198.
" " " disposal of . . . . .	" s. 199.
" " " inspection of . . . . .	" s. 200.
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General scheme of liquidation may be sanctioned . . . . .	" s. 201.
Power of liquidator to make compromise or arrangement with } creditors . . . . . }	" ss. 202, 203.
" " to accept shares, etc., of Company to which } business transferred, in case of voluntary } winding-up . . . . . }	" s. 204.
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Penalty on falsification of books, etc. . . . .	" s. 215.
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## (c) REGISTRATION.

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## (d) MISCELLANEOUS.

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Temporary continuance of Act 10, 1866 (repealed by Act 6, 1882) . . . . .	" ss. 250, 251.
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Power of Court to make orders as to costs . . . . .	" s. 253.
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COMPANY—*concl.*

3. Other Companies.

Application of Act 6, 1882, to Companies registered under the Joint Stock Companies Acts 19, 1857 <sup>[1]</sup> , and 7, 1860 <sup>[1]</sup> . . . }	Act 6, 1882, ss. 221, 222.
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Companies existing at the commencement of Act 6, 1882, and Companies thereafter formed in pursuance of other Acts or of Letters Patent, etc. :	
May be registered under Act 6, 1882 ; restrictions . . . . .	" ss 224, 225.
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Branch (colonial) register ; power of certain Companies to keep ; regulations and stamp as to . . . . . }	8 Edw. 7, c. 69, ss. 34 to 36.
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Power to hold land in United Kingdom . . . . . 8 Edw. 7, c. 69, s. 275.

Requirements as to companies established outside United Kingdom . . . . . s. 274.

Collection of income-tax from Company. *See* INCOME-TAX, 3.

Particular Companies :

*See* EAST INDIA IRRIGATION AND CANAL COMPANY ; EAST INDIAN RAILWAY COMPANY ; GAS COMPANY ; MADRAS IRRIGATION AND CANAL COMPANY ; RED SEA AND INDIA TELEGRAPH COMPANY.

COMPENSATION FOR TENANTS' IMPROVEMENTS ACT (MALABAR), 1899 [*See* LANDLORD AND TENANT, VIII, 2 (d)] . . . Mad Act 1, 1900.

COMPOUNDING OFFENCES . . . . . Act 5, 1898, s. 345.

" " under Excise law. *See* EXCISE 3(c).

" " under Punjab Municipal Act . . . Act 20, 1891, s. 187.

" " under forest law. *See* FOREST, 7.

COMPTOIR NATIONAL D'ESCOMPTE DE PARIS ACT, 1890. . . Act 7, 1890.

COMPULSORY LABOUR—

Obtaining of, on emergency—

for canal or drainage work. (*See* DRAINAGE ; IRRIGATION, II, 3, IV, 3, V, A, 3, VI.)

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Unlawful ; punishment for . . . . . Act 45, 1860, s. 374.

" compounding for offence . . . . . Act 5, 1898, s. 345.

[<sup>1</sup>] Acts 19, 1857, and 7, 1860, were repealed by Act 10, 1880, s. 218.

CONCILIATION. *See* DEKKHAN AGRICULTURIST, 3.

CONFIRMATION OF MARRIAGES ON HER MAJESTY'S SHIPS ACT, 1879 [*See* MARRIAGE, I, 1 (b)] . . . . .

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CONFIRMATION OF SENTENCES. *See* CRIMINAL PROCEDURE (IND.), 9 (2).

CONSANGUINITY. *See* SUCCESSION, 3.

CONSULAR OFFICER defined. *See* WORDS AND PHRASES.

CONTAGIOUS DISEASE.

Control over spread of. *See* ANIMAL, A; INFECTIOUS DISEASE.

CONTEMPT.

Proceedings on charge of. *See* CRIMINAL PROCEDURE (IND.), 11 (3); SMALL CAUSE COURTS, A, 3.

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Of lawful authority of public servant. *See* CRIMINAL LAW (INDIAN), 8; EXCISE, 3 (c)

CONTRACT ACT (INDIAN), 1872 . . . . . Act 9, 1872.

CONTRACT.

### 1. Preliminary.

Power of Governor General in Council or Local Government to } extend Act 13, 1859, to any place . . . . . Act 13, 1859, s. 5.

Act 13, 1859, not to apply to area notified under Mad. Act 1, } 1903 . . . . . Mad. Act 1, 1903, s. 2.

Act 9, 1872 (the Indian Contract Act, 1872)— extends to whole of British India . . . . . Act 9, 1872, s. 1.

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the Arakan Hill District . . . . . Reg. 9, 1874, s 3.

Upper Burma, except the Shan States . . . . . Act 13, 1898, s. 4, Sch. 1.

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"Contract," definitions of. *See* WORDS AND PHRASES.

### 2. Formation of Contract.

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" " " may enter into labour-contract . . . . . { Act 6, 1901, s. 9.  
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"Consent," "free consent," "coercion," "undue influence," }  
"fraud" and "misrepresentation" defined . . . . . Act 9, 1872, ss. 13 to 19.

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Indian Limitation Act, 1908, not to affect Act 9, 1872, s. 25 . . . . . Act 9, 1908, s. 29(1)(a).

Certain agreements void . . . . . Act 9, 1872, ss. 20, 23 to 30, 56, 57.

" " voidable . . . . . { Act 9, 1872, ss. 19, 21,  
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"Contingent contract" defined . . . . .		Bom.Act.3,1865,ss.1to3.
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## 3. Performance of Contract.

Contracts which must be performed . . . . .		Act9,1872,ss.37to39.
By whom contracts must be performed . . . . .		" ss.40to45.
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Performance of reciprocal promises . . . . .		" ss.51to58.
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		64,67.
Restoration of benefit received under rescinded contract . . . . .		" ss 64,65.
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Specific performance, rectification and rescission of contracts.		
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## 4. Breach of Contract.

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COORG COURTS (AMENDMENT) REGULATION, 1903 . . . . .	Reg. 4, 1903.
COORG DISTRICT FUND REGULATION, 1900 (See LAND- REVENUE, XII; LOCAL SELF-GOVERNMENT, VI) . . . . . }	Reg. 6, 1900.



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Correction of errors in register . . . . .	{	5-6V.c.45,s.14. Act20,1847,s.6.
Registration under Act 25, 1867, s. 18, when to have effect of registration under Act 20, 1847 . . . . .	{	Act25,1867,s.18.

C.—INFRINGEMENT AND REMEDY.

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E.—MISCELLANEOUS.

Act20, 1847, declared in force throughout British India, except as regards the Scheduled Districts . . . . .	{	Act15,1874,s.3.
Act 20, 1847, declared in force in Upper Burma, except the Shan States . . . . .	{	Act13,1898,s.4,Sch.1.
Act 25, 1867, declared in force— throughout British India, except as regards the Scheduled Dis- tricts . . . . .	{	Act15,1874,s.3.
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in Upper Burma generally (except the Shan States) . . . . .		Act13,1898,s.4,Sch.1.

2. Music and the Drama.

A.—MUSICAL COMPOSITIONS.

Application of law as to books to . . . . .		5-6V.c.45,ss.2,20.
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if printed and published . . . . .	" "
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Saving for remedies under 3 & 4 Will. 4. c. 15 . . . . .	5-6V.c.45,s.24.

## 3. Fine Arts.

## PAINTINGS, DRAWINGS AND PHOTOGRAPHS.

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Register book, and matters to be entered therein . . . . .	" s.4.
Application of 5 & 6 Vict. c. 45 as to register book, etc . . . . .	" s.5.
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Notice of copyright to be given to Commissioners of Customs, and lists to be published . . . . .	" "
Suspension of prohibitions as to British Possessions making Act protecting British authors . . . . .	10-1V.c.95,ss.1,2, 39-40V.c.36,s.152.
Application of Copyright Acts to Colonies . . . . .	49-50V.c.33,s.8.
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" " as to works of art and sculpture . . . . .	" ss.4,6. 25-6V.c.68,s.12.
" " as to dramatic and musical pieces . . . . .	7-8V.c.12,ss.5,6.
Periods of copyright may vary . . . . .	" s.13.
Simultaneous publication in two or more countries . . . . .	49-50V.c.33,s.3.
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## B—REGISTRATION.

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Times of registration may vary . . . . .	" s.13.
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Presentation of copies to British Museum and University libraries not required . . . . .	" s.3.
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Savings as to fair imitations and adaptations for stage . . . . .	15-6V.c.12, s.6.
"    "    political and other articles in newspapers, etc. . . . .	" s.7.
15-6 V. c. 12, s. 6 not to apply to dramatic pieces in certain cases . . . . .	38-39V.c.12.

## D.—INFRINGEMENT AND REMEDIES.

Prohibition of and penalties for importation of foreign works protected in Her Majesty's dominions, and of unauthorised translations . . . . .	7-8V.c.12,s.19. 15-6V.c.12,s.9.
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[1] The short title was given by Act 5, s. 1897, s. 4.

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" " (ODDH), 1891 ( <i>See</i> ODDH COURTS ACT, 1891)	Act 14, 1891.
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 1874. Act 15, s. 4 (Laws Local Extent).  
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 C.—BOMBAY PRESIDENCY  
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 F.—UNITED PROVINCES.  
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 Custody, education and residence of wards . . . . . „ s. 14.  
 Allowance for support of ward and his family . . . . . „ s. 15.

[?] Ben. except in scheduled districts by Mad. Act 1, 1902. It has not been indexed.

[?] Ben. Act 9, 1879, as amended by subsequent Acts, has been extended by notification under the Scheduled Districts Act, 1904, to the districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Sivasagar and Sylhet in Assam.

COURT OF WARDS—*contd.*A.—AJMERE—*contd.*2. Management and Guardianship—*contd.*

General duties of Court or manager . . . . .	Reg. I, 1888, s. 16.
Disabilities of ward . . . . .	" s. 22.
Powers of Court when succession to ward's property is disputed .	" s. 23.

## 3. Miscellaneous.

Procedure in suit by or against ward . . . . .	" ss. 18 to 21.
Appeals . . . . .	" s. 23.
Control by Local Government . . . . .	" s. 26.
Bar to jurisdiction of Civil Courts in certain cases . . . . .	" ss. 9, 27.
Power of Local Government to make rules . . . . .	" s. 23.

## B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM

## 1. Preliminary.

{[1] Ben. Act 9, 1879, extends to whole of Bengal and Eastern Bengal, including the Scheduled Districts . . . . .}	Ben Act 9, 1879, s. 1.
" " " and Ben. Act 3, 1881, declared in force in the Santhal Parganas . . . . .}	Reg. 3, 1872, s. 3, Sch.
" " " not to affect— Act 34, 1858 (Lunacy) . . . . . High Court's jurisdiction over infants . . . . .}	Ben. Act 9, 1879, s. 4.
Definitions . . . . .	" s. 3.

## 2. Management and Guardianship.

Board of Revenue to be Court of Wards . . . . .	Ben Act 9, 1879, s. 5.
Disqualified proprietors : Who are . . . . .	" s. 6. " ss. 7, 9, 10 (s. 9 rep. ampt., Ben. Act 1, 1906, s. 2, E. B. & A. Act 3, 1907, s. 2).
Powers of Court as to taking charge of person and property of, and of minor members of their families . . . . . {	" s. 10.
Power of Court to take charge of person or property of pro- prietor or minor on application of Civil Court . . . . . }	" s. 35.
Declaration by Court on taking charge of person or property .	" s. 35.
Procedure when Court takes charge of person or property— Notice to creditors, and inquiry into liabilities ; publication of notice . . . . . {	" s. 10A, 64A (ins. Ben Act 1, 1906, ss. 3, 10, E. B. & A. Act 3, 1907, ss. 3, 12).
Creditors to furnish full particulars and documents . . . . . {	" s. 10B (ins. Ben. Act 1, 1906, s. 3, E. B. & A. Act 3, 1907, s. 3).
Stay of proceedings of Civil Courts . . . . . {	" s. 10C (ins. Ben. Act 1, 1906, s. 3, E. B. & A. Act 3, 1907, s. 3).
Adjudication of claims . . . . . {	" s. 10D (ins. Ben. Act 1, 1906, s. 3, E. B. & A. Act 3, 1907, s. 3).

[1] See footnote [2] on p. 150.

COURT OF WARDS—*contd.*B—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*contd.*2. Management and Guardianship—*contd.*Disqualified proprietors—*contd.*

Power of Court to retain charge of person or property of still disqualified proprietors when joint proprietors cease to be subject to its jurisdiction . . . . .	Ben. Act 9, 1879, s 11.
Power of Court to retain charge of property until discharge of debts . . . . .	„ s. 13A (ins. Ben. Act 1, 1906, s. 4, E. B. & A. Act 3, 1907, s 5).
Power of Court to withdraw from charge of person and property . . . . .	Ben. Act 9, 1879, ss. 9, 12 (s. 9 rep. in pt., Ben. Act 1, 1906, s. 2, E. B. & A. Act 3, 1907, s. 2).
Effect of withdrawal from charge . . . . .	Ben. Act 9, 1879, s. 9A (ad. E. B. & A. Act 3, 1907, s 2)
Court when bound to release person and property from its charge . . . . .	Ben. Act 9, 1879, s. 8.
Power to relinquish inextricably involved estates . . . . .	„ s. 10E (ins. Ben. Act 1, 1906, s. 3).
Declaration of cessation of Court's jurisdiction . . . . .	Ben. Act 9, 1879, s 63.
Recovery of expenses after release of property . . . . .	„ s 63 A.
Collector to take charge of person and property on proprietor being declared disqualified . . . . .	„ s. 36, 37
Powers of Court when succession to property of ward is disputed . . . . .	„ s 13.
Court's general powers of management . . . . .	„ ss. 11, 18, 19.
Delegation of Court's powers . . . . .	„ s. 15
Power of Court to employ establishments and incur expenses . . . . .	„ s. 16.
„ „ to appoint, etc., managers and guardians . . . . .	„ s 20
Custody, education and maintenance of minors . . . . .	„ s. 21.
Allowance for support of ward and his family . . . . .	„ s. 22.
Protection of estates of wards and minors from sale for arrears . . . . .	„ ss. 23 to 26
Disabilities of wards . . . . .	„ ss 60, 60B, 61. (s. 60B ins., Ben. Act 1, 1906, s 8, E. B. & A. Act 3, 1907, s. 10).
Collector when to act as manager . . . . .	Ben. Act 9, 1879, s. 38.
Restrictions on choice of guardian . . . . .	„ ss. 44, 45.
General powers of manager . . . . .	„ s. 39.
„ duties „ „ . . . . .	„ ss. 40, 41.
Remuneration „ „ . . . . .	„ s. 41 (A).
Recovery by manager of sums recoverable as rent . . . . .	„ s. 63.
Application of moneys received by manager . . . . .	„ ss. 18 to 50 (s. 50 am. Ben. Act 2, 1909).
General duties of guardian . . . . .	Ben. Act 9, 1879, ss. 42, 43.
Remuneration „ „ . . . . .	„ s. 43 (f).
Delivery to Court of accounts and property in hands of manager or guardian . . . . .	„ s. 47..

COURT OF WARDS—*cont'd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*cont'd.*

3. Miscellaneous.

Duty of Collector to report to Court as to what proprietors should be taken under its charge, and to take temporary charge of their property, etc. . . . .	Ben. Act 9, 1879, ss. 27, 29, 30.
Power of Court or Local Government to put Act into operation without report from Collector . . . . .	" s. 28.
Application to Civil Court where Collector reports disqualified proprietor to be a lunatic or to be suffering from physical defect or infirmity, recovery of expenses incurred by Collector . . . . .	" ss 31 to 34 A (s. 34 Ains. Ben. Act 1, 1906, E. B. & A. Act 3, 1907, s. 7).
Exemption of ward's property from execution proceedings in certain cases . . . . .	Ben. Act 9, 1879, ss. 60 A, 60 B (s. 60 Bins. Ben. Act 1, 1906, s. 8, E. B. & A. Act 3, 1907, s. 10).
Procedure in suits by or against wards . . . . .	Ben. Act 9, 1879, ss. 51 to 56, 60 B (= 56 rep. inpt., Ben. Act 1, 1906, s. 6, E. B. & A. Act 3, 1907, s. 8; s. 60 Bins., Ben. Act 1, 1906, s. 8, E. B. & A. Act 3, 1907, s. 10).
Offences and penalties . . . . .	Ben. Act 9, 1879, ss. 57 to 59, 64.
Recovery of sums due to Court . . . . .	" ss. 16, 65 A.
Judicial powers of Collector in making inquiries . . . . .	" s. 66.
Appeals from orders of Collector or Commissioner . . . . .	" s. 67.
Control of Court over orders of Collector or Commissioner . . . . .	" ss. 67, 68.
Persons employed by Court to be "public servants" . . . . .	" s. 59 A (ins., Ben. Act 1, 1906, s. 7, E. B. & A. Act 3, 1907, s. 9).
Power of Court to make rules . . . . .	Ben. Act 9, 1879, s. 70.
Control of Local Government over Court . . . . .	" s. 69.
Court may be appointed manager under Bengal Tenancy Act; application of Ben. Act 9, 1879 . . . . .	(Ben. E. B.) Act 8, 1885, ss. 93, 97.
Ben. Reg 5, 1799 (Administration of estates of Hindus, etc.), not to affect jurisdiction of Court . . . . .	Ben. Reg 5, 1799, s. 8.

C—BOMBAY PRESIDENCY.

1. Preliminary.

Bom. Act 1, 1905, extends to whole of Bombay Presidency except City of Bombay and Aden . . . . .	Bom. Act 1, 1905, s. 1.
Definitions . . . . .	" s. 2.

2. Management and Guardianship.

Commissioner, or special officer appointed by Local Government, to be Court of Wards for the division: power to constitute Board and to appoint special Court for particular area . . . . .	" s. 3.
Disqualified landholders:	
Who are . . . . .	" s. 5.
Power of Court as to assuming superintendence of property of disqualified landholders and of person of minor, lunatic, etc.; exception as to married females . . . . .	" ss. 4, 11.



COURT OF WARDS—*contd.*C—BOMBAY PRESIDENCY—*contd.*2. Management and Guardianship—*contd.*

Court not to assume superintendence of property or person without consent of District Court where guardian has been appointed or declared by competent authority; exception where Government officer is appointed or declared guardian under s. 7 (1) of Act 8, 1890	Bom Act 1, 1905, ss 7, 6.
Where property belongs to undivided Hindu family, unless all co sharers disqualified	" s 8 (am. Bom. Act 1, 1910, s 2).
Power of Local Government to order Court to assume superintendence of property on application of landholder; provision in case of joint landholders, power to make order on application of co-sharer in respect of his share	" s. 9 (am Bom. Act 1, 1910, s 2).
Power of District Court on application of Collector to authorise Court to take steps for temporary custody and protection of property and of minor action to be reported to Local Government	Bom Act 1, 1907, s. 10.
Where property within jurisdiction of several Courts, Local Government to determine which Court to assume superintendence	" s. 12.
Assumption of superintendence to be notified and to extend to all property of ward; exception	" s 13.
Claims against ward or his property:	
Notice calling for submission of	" s 14.
Particulars of, to be furnished by claimants, inadmissibility in evidence of documents not produced	" s 15.
Effect of failure to notify claim, claim deemed to have been duly discharged, exception of claims of Government	" s. 14 (3).
Investigation and decision of claims and report to Local Government by Court of Wards; saving of right of suit	" ss. 16, 18 (1).
Power of Court of Wards to appoint, etc., manager; remuneration and duties, etc. of manager	" ss. 20, 21, 26.
" " " to appoint guardian application of provisions of Guardian and Wards Act, 1890	" s 22.
" " " as to property under its superintendence; power to summarily evict person in wrongful occupation of property of ward	" ss. 23, 26 to 28
Arrears of rent due to ward recoverable as arrears of land-revenue	" s. 20.
Custody, residence and education of ward	" s. 24.
Allowance for support of ward and his family	" s. 25.
Disabilities of wards and of certain persons who have been wards	" ss 37, 38, 42 (2), proviso
Power of Court of Wards when succession to ward's property is disputed	" s. 39.
Withdrawal of superintendence, if estate inextricably involved, etc.; effect of	" s. 18.
" " " on cessation of disqualification, etc., power to retain superintendence in certain cases; appointment of guardian of minor before withdrawal	" s. 40 (am. Bom. Act 1, 1910, s. 2), 41.
" " " to be notified	Bom Act 1, 1907, s. 42.

COURT OF WARDS—*concl.*C.—BOMBAY PRESIDENCY—*concl.*3. Miscellaneous.—*concl.*

Stay of execution of decree against ward in certain cases . . . limitation . . . . .	Bom Act1,1905 s.17.
Suit for recovery of claim against ward not barred by decision of Court . decision not to be evidence in suit . . . . .	" s.16(3).
Limitation . exclusion of certain periods in computing period of . . . . .	" s.17(1),18(3).
Managers and other servants of Court to be deemed public servants . . . . .	" s 21(2).
Recovery of arrears of land-revenue during period of superintendence ; protection of immoveable property from sale . . . . .	" s.30.
Notice required in case of certain suits against Government wards . . . . .	" s.31.
Procedure in suit by or against Government ward : suit or appeal not to be instituted on behalf of ward unless authorised in writing by Court . . . . .	" s.32-35.
Power of Court of Wards to state case for opinion of Civil Court for adjudication of civil disputes between two or more Government wards . . . . .	" s 36.
Power of Court of Wards to delegate its powers . . . . .	" s.19.
Appeals from orders under Act . . . . .	" s 43.
Control by Local Government . . . . .	" s 44.
Power of Local Government to make rules . . . . .	" s 46.
Bar of suits . . . . .	" s 45.

## D—CENTRAL PROVINCES AND SAMBALPUR DISTRICT.

## 1. Preliminary.

Definitions . . . . .	Act24,1899,s 2.
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## 2. Management and Guardianship.

Commissioner to be Court of Wards . . . . .	" s.3.
Disqualified landholders : . . . . .	
Who are . . . . .	" s.5.
Power of Court to assume superintendence of property or person of . . . . .	" s.4,6,8.
Powers of Court of Wards as to temporary custody and protection of minor and his property in certain cases . . . . .	" s.7.
Order by Local Government as to which Commissioner should assume superintendence of person and property, where landholder owns land in two or more Divisions . . . . .	" s 9.
Assumption of superintendence to be notified, and to extend to whole of ward's property ; exception . . . . .	" s.10.
Claims against ward or his property : . . . . .	
notice calling for submission of ; bar to claims not submitted particulars of, to be furnished by claimants ; exclusion of documents not duly submitted . . . . .	" s.12.
adjudication of . . . . .	" s.13.
adjudication of . . . . .	" s.15.
Power of Local Government to direct relinquishment of superintendence by Court of Wards . . . . .	" s 16.

COURT OF WARDS—*contd.*D.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT—*contd.*2. Management and Guardianship—*contd.*

## Power of Court of Wards—

to appoint managers . . . . .	Act24,1899,s.17.
to delegate its powers . . . . .	" s.18.
to appoint guardians . . . . .	" s.20.
Liabilities, etc., of managers and other servants of Court . . . . .	" s.19.
General powers of Court of Wards . . . . .	" ss.21,25.
Custody, education and residence of wards . . . . .	" s.22.
Allowance for support of ward and his family . . . . .	" s.23.
General duties of Court of Wards or manager . . . . .	" s.24.
Disabilities of ward . . . . .	" ss.31,32.
Powers of Court of Wards when succession to ward's property is disputed . . . . .	" s.33.
Withdrawal of superintendence of Court of Wards and appoint- ment of guardian . . . . .	" ss.34to36.

## 3. Miscellaneous.

Procedure in suits by or against wards . . . . .	{ Act24,1899,ss.26,27,29, 30.
Payment of costs in suit by or against ward . . . . .	" s.28.
Appeal . . . . .	" s.37.
Control by Local Government . . . . .	" s.38.
Bar to jurisdiction of Civil Courts . . . . .	{ " ss.5(2),6(2), 11,39.
Stay of proceedings in Civil Courts . . . . .	" s.14.
Power of Local Government to make rules . . . . .	" s.40.

## E—MADRAS PRESIDENCY.

## 1. Preliminary.

Mad. Reg. 10, 1831, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .	{ Act15,1874,s.4.
Mad. Act 1, 1902, extends to Presidency of Madras except Scheduled Districts . . . . .	{ Mad.Act1,1902,s.1.
Definitions . . . . .	" s.4.

## 2. Management and Guardianship.

Board of Revenue to be Court of Wards . . . . .	" s.5.
Disqualified proprietors:	
Who are . . . . .	" s.9.
Power of Collector as to temporary custody and protec- tion of property and of the person of minor heirs in certain cases . . . . .	{ " ss.10,11.
Procedure before declaration of disqualification by Local Government; bar to civil suit to question declaration . . . . .	{ " ss.12to16,48.
Assumption by Court of Wards of superintendence of person or property of disqualified proprietor: provision for case of joint Hindu family . . . . .	{ " ss.18to18,49. Mad.Reg.10,1831,s.2(2).
Procedure where disqualified proprietor is a co-sharer in joint pro- perty . . . . .	{ Mad Act1,1902,s.17(2).

COURT OF WARDS—*contd.*E—MADRAS PRESIDENCY—*contd.*2. Management and Guardianship—*contd.*

Assumption of superintendence to be notified and to extend to whole of ward's property; exception; Collector to take charge of property; power of Collector to search for and require production of property, books, papers, etc.	Mad Act1,1902,ss.19,20, 21.
Power of Court of Wards as to property under its superintendence	" s.35.
Allowance for support of ward and his family	" s.22.
Custody, education, residence and marriage of ward	" s.23.
Disabilities of ward	" s.31.
Appointment of managers and guardians	" ss.24to26.
Powers, duties and allowances of managers and guardians	" ss.27to29.
Application of money received by manager	" ss.32,33.
Claims against ward or his property:	
notice calling for submission of; exception of claims of Government and others	" s.37,39.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced; exception of claims of Government and others	ss.33,39,42,55(3).
effect of failure to notify claim; cessation of interest; notified claims to have priority	" s.41,55(3).
admission or disallowance of; saving of right of suit	" s.40.
Power of Court of Wards to dispossess mortgagee in possession of ward's property: rights of dispossessed mortgagee	" ss.43,55(2).
Power to require additional consideration for or determine lease granted by ward for insufficient consideration: rights of lessee	" s.14.
Execution of decree against ward to be transferred to Collector in certain cases; procedure; Collector executing decree to cease to discharge functions under Act	" ss.45to47.
Penalty for abetting marriage of minor ward without consent of Court of Wards	" s.67.
Release from superintendence of person and property: power to appoint guardian when proprietor is still minor: effect of release	" ss.54to56,59.
Power to retain superintendence notwithstanding death or cessation of disqualification of proprietor; certain disabilities of proprietor to continue	" ss.57,58.
Powers of Court of Wards when succession to ward's property is disputed	" s.61.
Release of person or property from superintendence to be notified	" s.62.
Expenses incurred by Court of Wards recoverable after release as arrears of land-revenue	" s.64.

## 3. Miscellaneous.

Control by Local Government	Mad Act1,1902,s.6.
Exercise of powers of Court of Wards through Collector; delegation of powers of Collector	" s.8.
Distribution of business of Court of Wards; Secretary to sign for Court of Wards	" s.7.

COURT OF WARDS—*contd.*E—MADRAS PRESIDENCY—*contd*3. Miscellaneous—*contd.*

Power of Court of Wards to make rules . . . . .	Mad.Act1,1902,s 66.
" " " in regard to religious endowments of which ward is hereditary trustee or manager . . . . .	" s 63.
Property in charge of Court of Wards not liable to sale for arrears of land-revenue . . . . .	" s.65.
Managers, guardians, etc., to be deemed public servants, application of provisions of Act 12, 1850, and Mad Reg. 9, 1822 . . . . .	" ss 30,31.
Procedure in suits by or against wards . . . . .	" ss.49to52.
Saving of jurisdiction of High Court . . . . .	" s.3.
Power of Court of Wards to state case for opinion of Civil Court in civil disputes between two or more wards . . . . .	" s.53.
Powers of persons holding inquiry under Act . . . . .	" s.64.
Power of Court of Wards to maintain establishment and to distribute expenses among properties under its superintendence . . . . .	" s.36.

## F—UNITED PROVINCES

## 1. Preliminary.

U. P. Act 3, 1899, extends in the first instance to the whole of the United Provinces except the Family Domains of the Maharaja of Benares; power to extend Act . . . . .	U.P.Act3,1899,s.1,Sch.1.
Definitions . . . . .	" s 3.

## 2. Management and Guardianship.

Board of Revenue to be Court of Wards . . . . .	" s 4.
Disqualified proprietors:	
Who are . . . . .	" s 8.
Assumption by Court of Wards of superintendence of person or property . . . . .	" ss.9to12.
Power of Collector as to temporary custody of property and of the person of minor heirs in certain cases . . . . .	" s.13.
Assumption of superintendence to be notified and to extend to whole of ward's property . . . . .	" ss.14,15.
Collector to take possession of and manage property . . . . .	" s.15(2).
Claims against ward or his property:	
notice calling for submission of . . . . .	" s.16.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced . . . . .	" ss.16,20.
effect of failure to notify claim, cessation of interest; notified claims to have priority; exception of claims of Government and others . . . . .	" s.18.
admission or rejection of; saving of right of suit . . . . .	" ss.17,18,21.
Stay of proceedings in execution of decrees against ward in Civil Court . . . . .	" s.19.
Allowance for support of ward and his family . . . . .	" s.22.

COURT OF WARDS—*contd.*F—UNITED PROVINCES—*contd.*2. Management and Guardianship—*contd.*

Residence and education of ward . . . . .	U.P. Act 3, 1899, s. 23
Powers of Court of Wards as to property under its superintendence . . . . .	" ss. 35, 52.
Appointment, etc., of guardian, application of s. 17, Guardians and Wards Act, 1890, termination of appointment . . . . .	" ss. 24, 29.
Duties of guardian . . . . .	" s. 25.
Appointment, etc., of manager, termination of appointment . . . . .	" ss. 26, 29.
Powers and duties of manager . . . . .	" ss. 27, 28.
Collector when to act as guardian or manager . . . . .	" s. 32.
Application of money received by manager . . . . .	" s. 33.
Disabilities of wards . . . . .	" s. 34.
Arrears of rent due to ward recoverable as arrears of land-revenue: procedure; saving of defaulter's right to bring civil suit to contest liability . . . . .	" ss. 36 to 39.
Power of Court of Wards to employ establishment; expenses . . . . .	" s. 40.
Power of Court of Wards to release person or property from superintendence and to appoint guardian when proprietor is still minor . . . . .	" ss. 41, 43, 45.
"    "    to retain superintendence notwithstanding death or cessation of disqualification of proprietor, certain disabilities of proprietor to continue . . . . .	" s. 42.
Release of person or property from superintendence to be notified . . . . .	" s. 46.
Recovery of sums due to Court of Wards . . . . .	" s. 53.
Power of Court of Wards when succession to ward's property is disputed . . . . .	" s. 44.

## 3. Miscellaneous.

Control of Local Government over Court of Wards . . . . .	" s. 5.
Delegation of powers of Court of Wards . . . . .	" s. 7.
Decision by Local Government when Court's right of superintendence is disputed . . . . .	" s. 12.
Exercise of powers of Court of Wards through Commissioner or Collector . . . . .	" s. 7.
Distribution of business of Court of Wards . . . . .	" s. 6.
Guardians, managers, etc., deemed to be public servants; application of Act 12, 1850 . . . . .	" ss. 30, 31.
Power of Court of Wards to state case for opinion of Civil Court for adjudication of civil dispute between two or more wards . . . . .	" s. 50.
Protection of estate under management by Court of Wards from sale or annulment of settlement for arrears of revenue . . . . .	U.P. Act 3, 1901, ss. 153, 160.
Bar to civil suit on certain matters . . . . .	U.P. Act 3, 1899, ss. 10, 12, 47.
Procedure in suit by or against ward . . . . .	" ss. 48, 49, 51.
Power of Court of Wards to enter into covenants, etc., on behalf of ward: effect of covenants; form of instruments . . . . .	" s. 52.
Power of Court of Wards to make rules . . . . .	" s. 54.
Application on behalf of ward or disqualified proprietor for benefit of U. P. Act 1, 1903 . . . . .	U.P. Act 1, 1903, s. 6.

COURT OF WARDS—*contd.*

## G.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

## 1. Preliminary.

P. Act 2, 1903, applies to whole of Punjab . . . . .	P. Act 2, 1903, s. 1.
" " " declared to be in force in N.-W. Fr. Province with modifications, repeal of Reg 7, 1901, ss 89 to 92 . . . . .	Reg 7, 1904, ss. 2, 3.
Definitions . . . . .	P. Act 2, 1903, s. 3.

## 2. Management and Guardianship.

Financial Commissioner (Revenue Commissioner in the N.-W. Fr.) to be Court of Wards . . . . .	P. Act 2, 1903, s. 4(1), Reg 5, 1904, s. 2.
Assumption by Court of Wards of superintendence of person or property of landholders in cases of disqualification, etc . . . . .	P. Act 2, 1903, ss. 5 to 8, 10.
Inquiry before taking action under Act, reference to Civil Court.	" ss 11, 12.
Assumption of superintendence to be notified and to extend to whole of the property of the ward . . . . .	" ss 9, 13.
" " not to be questioned in Court of law . . . . .	" s. 10.
Disabilities of wards and of certain persons who have been wards . . . . .	" ss 15, 16.
Powers of Court of Wards as to property under its superintend- ence . . . . .	" ss 8, 17, 22.
Deputy Commissioner to take possession and manage property .	" s 21.
Power of Court of Wards to employ establishment; expenses .	" s. 23.
Power of Court of Wards to provide for superintendence and supervision of persons of wards . . . . .	" s. 22(1).
Residence and education of ward . . . . .	" s. 24.
Allowance for support of ward and his family . . . . .	" s. 25.
Claims against ward or his property: notice calling for submission of . . . . .	" s. 26.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced . . . . .	" ss 26, 27, 29.
effect of delay or failure in notifying claim, bar of claims not notified; exception of claims of Government . . . . .	" s 26(3) 29.
admission or rejection of; saving of right of suit . . . . .	" ss 28, 31(1), 32.
stay of suits and proceedings in execution of decree against ward . . . . .	" s. 31(2), (3).
orders not appealable; revision by Court of Wards . . . . .	" s 33.
powers to be exercised by Deputy Commissioner or any person authorised . . . . .	" s. 34.
Appointment, etc., of guardian; application of s. 17, Guardian and Wards Act, 1890; termination of appointment . . . . .	" ss 33, 36, 41.
Duties of guardian . . . . .	" s. 37.
Appointment, etc., of manager; termination of appointment .	" ss 38, 41.
Powers and duties of manager . . . . .	" ss 39, 40.
Deputy Commissioner when to act as guardian or manager .	" s. 43.
Appointment, etc., of tutor for minor male ward . . . . .	" s 35(3).
Application of money received by manager . . . . .	" s 40(c).
Power of Court of Wards to release person or property from sup- erintendence and to appoint guard- ian when proprietor is still minor . . . . .	" ss 44, 47, 49.

COURT OF WARDS—*contd.*G.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*2. Management and Guardianship—*contd.*

Power of Court of Wards to retain superintendence notwithstanding death or cessation of disqualification of ward . . . }	P.Act2,1903,ss.45,46.
Release of person or property from superintendence to be notified . . . . .	„ s.50.
Recovery of sums due to Court of Wards . . . . .	„ s.51.
Powers of Court of Wards when succession to ward's property is disputed . . . . . }	„ s.48.

## 3. Miscellaneous.

Control of Local Government over Court of Wards . . . . .	P.Act2, 1903,s.4(f).
Exercise of powers of Court of Wards through Commissioner, Deputy Commissioner, etc ; delegation of powers . . . . . }	„ s.4(2),(3).
Protection of land under superintendence of Court of Wards from sale for arrears of revenue . . . . . }	„ s.14.
Power of Court of Wards to enter into covenants, etc., on behalf of ward ; effect of covenants ; form of instruments . . . . . }	„ s.18.
Procedure in suit by or against ward . . . . .	„ ss.19,20.
Guardians and managers deemed to be public servants ; application of Act 12, 1850 . . . . . }	„ s.42.
Bar to civil suit on certain matters . . . . .	„ s.52.
Investigations before Deputy Commissioner under Ch. VI or Ch. VII deemed judicial proceedings . . . . . }	„ s.52.
Power of Court of Wards to make rules . . . . .	„ s.54.
COURT-FEES ACT, 1870 ( <i>See</i> COURT-FEES ; PROCESS-FEES ; SMALL CAUSE COURTS, A) . . . . . }	Act7,1870.
COURT-FEES ACT (1870) AMENDMENT ACT, 1870 . . . . .	Act29,1870.
COURT-FEES (AMENDMENT) ACT, { 1899 . . . . .	Act11,1899.
{ 1901 . . . . .	Act10,1901.
{ 1905 . . . . .	Act6,1903.
{ 1910 . . . . .	Act7,1910.
COURT-FEES. <i>See also</i> under CHIEF COURT OF THE PUNJAB ; CIVIL COURTS ; LANDLORD AND TENANT XI, A. G.	

## 1. Preliminary.

Act 7, 1870 extends to whole of British India . . . . .	Act7,1870,s.1.
„ „ declared in force in—	
the Santhál Parganas . . . . .	Reg.3,1872,3,Sch.
Upper Burma generally (except the Shan States) . . . . . }	Act13,1898,s.4,Sch.1.
British Baluchistan . . . . .	Reg.1,1890,s.3.
the Sub-division of Angul . . . . .	Reg.1,1894,s.3.
Act 20, 1870 (amending Act 7, 1870), declared in force in—	
the Santhál Parganas . . . . .	Reg.3,1872,s.3,Sch.
Upper Burma generally (except the Shan States) . . . . .	Act13,1898,s.4,Sch.1.
Mad. Reg. 5, 1831, s. 7 (2), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . }	Act15,1874,s.4.
Act 7, 1870, not to apply in certain cases in Santhál Parganas . . . . .	Reg.3,1872,s.8.
“Chief Controlling Revenue-authority” defined . . . . .	Act7,1870,s.2.



COURT-FEES—*contd.*

## 2. Imposition of Fees

In Presidency Small Cause Courts. See SMALL CAUSE COURTS.  
A, 3.

In High Courts . . . . .	{	24-5V.c.104,s.15. Act7,1870,s.3,Sch.I,No. 21,Sch II, Nos.7,12,14, 20,21.
“ “ “ in cases coming before them in exercise of their extraordinary, appellate or revisional jurisdic- tion . . . . .	}	Act7,1870,ss 4,6,Sch.I (am. Act7,1910), Sch. II.
In other courts and in public offices . . . . .	}	
Fees in suits instituted in Colonial Court of Admiralty at Aden, Rangoon or Karachi to be levied in accordance with Ch. III of Act 7, 1870; exception . . . . .	}	Act16,1891,s.4.
Exemptions from fees:		
General list of documents exempted from fees . . . . .		Act7,1870,s.19.
Power of Governor General in Council to remit fees . . . . .		“ s 35.
Power to grant to exemption in Angul . . . . .		Reg.1,1894,s.58.

## 3. Collection of Fees

Fees to be collected by impressed or adhesive stamps . . . . .		Act7,1870,ss 25,26.
Power of Local Government to make rules—		
as to supply, number, renewal and keeping accounts of stamps . . . . .	}	“ s.27.
as to sale of stamps . . . . .	}	“ s.34.
Documents invalid unless properly stamped . . . . .		
Power of Judge, etc., to direct stamping where unstamped docu- ment received in Court, etc., through mistake or inadvertence . . . . .	}	“ s 28.
Power of Court to allow deficiency in court-fees to be made up . . . . .		Act5,1903,s.149.
Fresh stamp when not required on amended document . . . . .		Act7,1870,s.29.
Documents not to be filed or acted upon until stamp cancelled . . . . .		“ s.30.
In High Court or Presidency Small Cause Court; procedure in case of difference as to necessity or amount of fee . . . . .	}	“ s.5.
In other Courts and in public offices:		
Fee how to be computed in case of—		
certain suits . . . . .		“ s.7.
suits, applications and appeals under Agra Tenancy Act, 1901 . . . . .	}	U.P. Act2,1901,s 170, Sch 4.
memorandum of appeal against order relating to compensa- tion under Land Acquisition Act . . . . .	}	Act7,1870,s.8.
Power to issue commission to ascertain net profits or market- value; procedure on report of Commissioner . . . . .	}	“ ss.9,10.
Stay of execution of decree for mesne profits or account till full fee paid . . . . .	}	“ s.11.
Decision of question as to valuation . . . . .		“ s.12.
Fee in multifarious suit . . . . .		“ s 17.
“ on written examination of complainant . . . . .		“ s 18.
Refund of fees in certain cases . . . . .	}	“ ss.13to15. )Act18,1884,s.72.
Special provisions as to probates and letters of administration:		
Notice of application for probate or letters of administra- tion to be given to revenue-authorities; procedure thereon . . . . .	}	Act7,1870,s 19H.

COURT-FEES—*contd.*3. Collection of Fees—*contd.*Special provisions as to probates and letters of administration—*contd.*

Valuation to be filed and fee to be paid before order granting probate or letters of administration . . . . .	Act 7, 1870, s. 191.
Refund when too high a fee paid by executor or administrator . . . . .	" s. 19A.
Refund where debts due from deceased person have been paid out of his estate . . . . .	" s. 19B.
Relief in case of several grants . . . . .	" s. 19C.
Probates and letters of administration valid as to trust-property, though such property is not covered by court-fee paid . . . . .	" ss. 19D, 19G.
Payment of additional fee, with penalty, by executor or administrator where too low a fee paid in the first instance; power to remit penalty; administrator to give security; recovery of penalties . . . . .	" ss. 19E, 19F, 19G, 19J. Act 6, 1889, s. 20.
Act 7, 1870, s. 6 or s. 28, not to apply to probate or letters of administration . . . . .	Act 7, 1870, s. 19K.

## 4. Miscellaneous.

Act 7, 1870, Chaps. II and V (ss. 3 to 5, 23 to 30) not to apply to commission or fees of certain officers of High Court . . . . .	Act 7, 1870, s. 33.
Repayment to complainant by accused, on conviction, of fees paid by former . . . . .	" s. 36.
Recovery of fine from ministerial officer when prescribed stamp not used for document filed or copy given . . . . .	" s. 31.
Act 7, 1870, ss. 20, 21, 22 and 23, not to apply to areas in which Bur. Act 1, 1910, is in force . . . . .	Mad. Reg. 5, 1831, s. 7(2). [ <sup>1</sup> ] Bur. Act 1, 1910, s. 2.
Offences relating to stamps. See CRIMINAL LAW (IND.), 10.	
Fees for processa. See PROCESS-FEES.	

## CREMATION. See DISPOSAL OF THE DEAD.

## CRIME IN PLANTATIONS [See CRIMINAL LAW AND PROCEDURE (ENGLISH); VENUE] . . . . . 11 W. 3, c. 12.

## CRIMINAL COURTS.

Constitution, powers and procedure of. See CRIMINAL PROCEDURE (IND.).

## CRIMINAL FORCE. See CRIMINAL LAW (IND.), 14 (b).

CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.  
See CRIMINAL LAW (IND.), 22.CRIMINAL JURISDICTION ACT, 1802.<sup>[1]</sup> [See CRIMINAL LAW (ENGLISH)] . . . . . 42 G. 3, c. 85.

## CRIMINAL JUSTICE REGULATION (BRITISH BALUCHISTAN, 1896 (See CRIMINAL PROCEDURE)) . . . . . Reg. 9, 1896.

## " " " (UPPER BURMA), 1892 (See CRIMINAL PROCEDURE) . . . . . Reg. 5, 1892.

[<sup>1</sup>] Bur. Act 1, 1910, will come into force when notified  
[<sup>2</sup>] This short title was given by 59 & 60 V. c. 1, c. 14.

CRIMINAL LAW (INDIA) ACT, 1828.<sup>[1]</sup> [See CRIMINAL LAW]  
AND PROCEDURE (ENGLISH); HIGH COURT] . . . }

9G.4,c.71-

CRIMINAL LAW AND PROCEDURE (ENGLISH).

1698-9. 11 W. 3, c. 12 (Public Officer).	1812. 52 G. 3, c. 156 (Escape).
1770. 10 G. 3, c. 47, s. 4 (Trial in England).	1828. 9 G. 4, c. 74, ss. 7 to 9, 25, 26, 56 (Trial).
1772-3. 13 G. 3, c. 63, ss. 39 to 43 (Trial in England).	1833. 3-4 W. 4, c. 85, s. 46 (European British subjects).
1780-1. 21 G. 3, c. 70, ss. 4 to 7 (Trial in England).	1849. 12-3 V. c. 96, s. 3 (Murder, etc.).
1784. 24 G. 3, sess. 2, c. 25 (Special Commission)	1860. 23-4 V. c. 88 (Admiralty Jurisdiction; Prosecution of Offences).
1786. 26 G. 3, c. 57 (Special Commission, etc.)	„ 23-4 V. c. 122 (Murder, etc.).
1792-3. 33 G. 3, c. 52, ss. 45, 46, 140, 141 (Trial, arrest).	1874. 37-8 V. c. 27 (Admiralty Jurisdiction; Prosecution of Offences).
1796-7. 37 G. 3, c. 112, s. 14 (Trial in England)	1876. 39-40 V. c. 46 (Slave Trade, etc.).
1801-2. 42 G. 3, c. 85 (Public Officer).	1878. 41-2 V. c. 73 (Territorial Waters).
1809. 49 G. 3, c. 126 (Sale of Office)	1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction).
Sale of offices.	
Persons buying and selling offices . . . . .	49G.3,c.126.
Exemption in case of authorised army exchanges . . . . .	See ARMY,
2.	
Persons opening or advertising houses, etc., for transacting business in relation to . . . . .	49G.3,c.126,ss.5,6.
Offences committed abroad in relation to, to be tried in Court of Queen's Bench . . . . .	„ s.14.
Assisting escape of prisoners of war . . . . .	52G.3,c.156.
Trial of Governors of plantations, etc., in Court of Queen's Bench or by special commissioners . . . . .	11W.3,c.12.
Trial in Court of Queen's Bench of persons employed in public service abroad . . . . .	42G.3,c.85.
Trial as for offence in British Possession, on death there from injury inflicted at sea, etc. . . . .	12-3V.c.96,s.3
Trial as for offence at sea, on death at sea, etc., from injury inflicted in British Possession . . . . .	
Power of Legislature of British Possession to legislate for trial, etc., of murder, etc., therein, where person injured dies elsewhere . . . . .	23-4V.c.122.
Power to try and punish murder or manslaughter, where offence not wholly committed and completed within jurisdiction; or any offence committed at sea . . . . .	9G.4,c.74,s.56. 23-4V.c.88. 37-8V.c.27.
Sentences to be passed by Indian Courts, at trials held by virtue of Act of Parliament for offence committed beyond jurisdiction or made punishable by Act of Parliament . . . . .	37,38V.c.27,s.3.
Power to punish offences against laws relating to the slave trade committed out of jurisdiction . . . . .	39-40V.c.46.
Trial in Colonial Courts of offences committed elsewhere, under Foreign Jurisdiction Acts. See FOREIGN JURISDICTION.	
Extension, by Order in Council, of 12-3 Vict. c. 96 and 23-4 Vict. c. 122 to any place to which Foreign Jurisdiction Act, 1890, applies . . . . .	53-4V.c.37,s.5,Sch.I.

[1] This short title was given by 59 & 60 Vict., c. 14.

**CRIMINAL LAW AND PROCEDURE (ENGLISH)—*contd.***

Trial of offences committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc. . . . .	41-2V.c.73.
Power to try British subjects in England for offences committed in India, and proceedings thereunder . . . . .	10G 3,c.47,s.4. 13G.3,c.63,ss.39to41. 21G.3 c.70,s.4to7. 33G.3,c.52,s.140,141. 37G.3,c.142,s.14.
Warrant of Lord Chancellor or Speaker for taking evidence in India on proceedings in Parliament touching offences . . . . .	13G 3,c.63,ss.42,43.
Proceedings by special commission against British subjects holding certain offices and employments for extortion, etc. . . . .	24G.3,ss.2,c.25. 26G 3,c.57.
Power to High Court of Justice to try the information . . . . .	26G.3,c.57,s.25.
Warrants for arrest of persons suspected of carrying on correspondence dangerous to safety of British Possessions . . . . .	33G.3,c.54,ss.45,46.
Accessories in felony . . . . .	9G.4,c.74,ss.7to9.
Mode of prosecuting certain offences . . . . .	33G.3,c.52,s.140.
Inferior Courts not to have power of sentencing European British subjects to death . . . . .	3-4W.4,c.85,s.46.
Punishment of offences in Admiralty Courts . . . . .	9G.4,c.74,s.25.
Interpretation of criminal statutes . . . . .	" s.26.

**CRIMINAL LAW (INDIAN).**

1817. Ben. Reg. 12, s. 30 (Fa'sification of Accounts).	1895. Reg. 1, s. 3 (Laws, Kashin Hills).
1855. Act 24 (Penal Servitude).	1896. Reg. 5, s. 3 (Laws, Chin Hills).
1860. Act 45 (Penal Code).	1897. Act 10, ss. 25, 26 (General Clauses).
1870. Act 27 (Amendment of Penal Code).	1898. Act 4 (Amendment of Penal Code).
1872. Act 4, s. 39 (Laws, Punjab).	1898. Act 5, ss. 41, 45, Ch. IX, ss. 195 to 199, 345, 480 to 482, 521 (Criminal Procedure Code).
" Reg. 3, s. 3 (Laws, Santhal Parganas).	" Act 6, s. 17 (Post Office).
" Reg. 5, ss. 7, 11 (Sindh Frontier).	1900. Reg. 1, s. 4 (Whipping, Chittagong Hill tracts).
1874. Act 15, s. 3 (Laws Local Extent).	1901. Reg. 3, ss. 6, 12 (Crim., Frontier).
" Reg. 9, s. 3 (Laws, Arakan Hill District).	1902. Bom. Act 4, ss. 40 to 41 (Police, Bom. City).
1877. Reg. 3, s. 29 (Laws, Ajmere).	1908. Act 14 (Criminal Law Amendment).
1882. Act 15, Ch. XII (Presidency Small Cause Courts).	1909. Act 4 (Whipping).
1890. Act 9, s. 130 (Railways).	1910. Act 9, s. 39 (Electricity; Theft).
" Reg. 1, s. 3 (Laws, British Baluchistan).	1911. Act 10, ss. 6, 7 (Seditious Meetings).
1894. Reg. 1, s. 3 (Laws, Angul).	
1. Preliminary.	8 Contempts of lawful authority of Public Servants.
2. Punishments.	9. False Evidence, and Offences against Public Justice.
3. General Exceptions.	10. Offences relating to Coin or Government Stamps.
4. Offences against the State.	11. Offences relating to Weights and Measures.
5. Offences relating to the Army, Navy or Royal Indian Marine.	12. Offences affecting the Public Health, Safety, Convenience, Decency or Morals.
6. Offences against the Public Tranquillity.	
7. Offences by or relating to Public Servants.	

CRIMINAL LAW (INDIAN)—*contd.*

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|--|--|
| 1 3. Offences relating to Religion.          | 20. Offences relating to Marriage.               |
| 14 Offences affecting the Human Body.        | 21. Defamation.                                  |
| 15. Offences against Property.               | 22. Criminal Intimidation, Insult and Annoyance. |
| 16. Offences relating to Documents           | 23. Abetment and Attempts.                       |
| 17. Trade, Property and other Marks          | 24 Procedure.                                    |
| 18. Currency notes and Bank notes.           | 25. Special and Local.                           |
| 19. Criminal Breach of Contracts of Service. |  |

## 1. Preliminary

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| Indian Penal Code (Act 45, 1860) applies throughout British India ( <i>see also below</i> , 24)  | Act 45, 1860, s. 1.        |
| Extension of Code to extra-territorial offences  | " s. 4.                    |
| Act 24, 1855 (Penal Servitude) declared in force throughout British India, except as regards the Scheduled Districts ( <i>see also below</i> , 24) | Act 15, 1874, s. 3.        |
| Punishment to be inflicted under Indian Penal Code and not otherwise, saving of Acts of Parliament, Army Act and special and local laws            | Act 45, 1860, ss. 2, 3, 5. |
| Act 27, 1870 (amending Penal Code), not to affect special or local laws  | Act 27, 1870, s. 15.       |
| General definitions  | Act 45, 1860, ss. 6 to 52. |

## 2. Punishments.

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|--|---|
| Punishments to which offenders are liable (death, transportation, penal servitude, imprisonment, forfeiture, fine) | Act 45, 1860, s. 53.                                |
| In what cases whipping may be inflicted—   |   |
| generally  | Act 4, 1909, [1] ss. 2 to 5.                        |
| in frontier districts generally  | " s. 6.   |
| in Punjab or British Baluchistan frontier district   | Reg. 3, 1901, ss. 6, 12(2).                         |
| in Kachin Hills  | Reg. 1, 1895, s. 3, Sch.                            |
| in Chin Hills  | Reg. 5, 1896, s. 3, Sch.                            |
| Commutation of sentences of death or transportation for life   | Act 45, 1860, ss. 54, 55.                           |
| Europeans and Americans to be sentenced to penal servitude instead of transportation                               | Act 24, 1855, ss. 1, 2, 15.<br>Act 45, 1860, s. 56. |
| Sentence when proof that convict is European or American   | Act 24, 1855, s. 14, 15.                            |
| Application of Act 24, 1855, where sentence of death commuted to penal servitude                                   | " s. 4.   |
| Transportation; provisions as to   | Act 45, 1860, ss. 57 to 59.                         |
| Imprisonment may be either rigorous or simple  | " ss. 53, 60.                                       |
| Forfeiture of property; provisions as to sentence of   | " ss. 61, 62.                                       |
| Fine not to be excessive   | " s. 63.  |
| " impossible in Kachin Hill-tracts in lieu of or in addition to any other punishment                               | " s. 75A (ins. Reg. I, 1895, s. 3, Sch.).           |
| " imprisonment for non-payment of  | " ss. 64, 65, 66, 67, 68, 69.                       |
| " " " " in Kachin Hill-tracts  | " s. 67 (am. Reg. I, 1895, s. 3, Sch.).             |
| " leviable within six years; death not to discharge property from liability  | " s. 70.  |

[1] Act 6, 1864, is rep. by Act 4, 1909, except in Arun District, Chittagong Hill tracts, Kachin Hill tracts and Chin Hills; it has not been indexed.

CRIMINAL LAW (INDIAN)—*contd.*2. Punishments—*contd.*

Limit of punishment of offence made up of several offences . . . . .	Act 45, 1860, s. 71.
Punishment of person guilty of one of several offences, the judgment stating that it is doubtful of which . . . . . }	" s. 72.
Solitary confinement . . . . .	" ss. 73, 74.
Act 45, 1860, ss. 63 to 70, applied to fines imposed under any Act, Regulation, rule or bye-law . . . . . }	Act 10, 1897, s. 25.
Punishment when act is an offence under several enactments . . . . .	" s. 20.
Enhanced punishment for certain offences relating to coin, Government stamps or property, after previous conviction in British India or by certain courts outside British India . . . . . }	Act 15, 1860, s. 75 (sub. Act 3, 1910).
<i>See also, as to particular punishments for various offences, the Acts relating to such offences</i>	

## 3. General Exceptions.

No offence where act done—	
by person bound or justified by law . . . . .	Act 45, 1860, ss. 76, 79.
by Judge acting judicially . . . . .	" s. 77.
pursuant to judgment or order of Court . . . . .	" s. 78.
by accident in doing lawful act . . . . .	" s. 80.
without criminal intent, in order to prevent harm . . . . .	" s. 81.
by child . . . . .	" ss. 82, 83.
" except where act endangers safety of persons travelling by railway . . . . . }	Act 9, 1890, s. 130.
by lunatic . . . . .	Act 45, 1860, s. 84.
by intoxicated person ; exceptions . . . . .	Act 45, 1860, ss. 85, 86.
by consent . . . . . }	" ss. 87 to 91, 92.
in good faith for benefit of person without consent ; exceptions	expln.
under compulsion of threats , exceptions . . . . .	" s. 92.
causes but slight harm . . . . .	" s. 94.
causes but slight harm . . . . .	" s. 95.
Communication made in good faith, when no offence . . . . .	" s. 93.
Right of private defence . . . . .	" ss. 96 to 106.
Ch. IV (ss. 76 to 106) applied to offences under sections added by Act 27, 1870 . . . . . }	Act 27, 1870, s. 13.

## 4. Offences against the State.

Waging war against the Queen ; conspiracy, collecting arms, etc., concealing design . . . . . }	Act 45, 1860, ss. 121, 121A, 122, 123.
	Act 27, 1870, s. 13.
Assaulting, etc., Governor General, Governor or Member of Council . . . . . }	Act 45, 1860, s. 124.
Sedition . . . . . }	Act 45, 1860, s. 124A.
	Act 27, 1870, s. 13.
Waging war against, or committing depredation in territories of, Power at peace with Queen . . . . . }	Act 45, 1860, ss. 125 to 127.
Circulating false report to induce offence against the State . . . . .	" s. 505.
Public servant allowing prisoner of State or war to escape . . . . .	" ss. 128, 129.
Harbouring, etc., prisoner of State or war . . . . .	" s. 130.
Obligation to give information of offences . . . . .	Act 5, 1893, ss. 44, 45.
Authority for instituting prosecutions . . . . .	Act 45, 1860, s. 106.

CRIMINAL LAW (INDIAN)—*contd.*

## 5. Offences relating to the Army, Navy or Royal Indian Marine.

Abetting mutiny, or attempting to seduce from duty . . . . .	Act 45, 1860, ss. 131, 132.
„ assault on officer . . . . .	„ ss. 133, 134.
„ desertion, or harbouring deserter . . . . .	„ ss. 135 to 137.
„ act of insubordination . . . . .	„ s. 138.
Application of ss. 131 to 138 to Royal Indian Marine . . . . .	„ s. 138A.
Wearing garb or token used by soldier . . . . .	„ s. 140.
Persons subject to Articles of War not liable to punishment under ss. 131 to 138 or 140 . . . . .	„ s. 139.
Circulating, making, etc., false report, statement, etc., to cause or which is likely to cause mutiny in Army or Navy or other public mischief . . . . .	„ s. 505.

*See also* INDIAN MILITARY AND NAVY FORCES, I, III, 3.

## 6. Offences against the Public Tranquillity.

Unlawful assembly and rioting; promoting enmity between classes . . . . .	Act 45, 1860, ss. 141 to 158.
Public meeting prohibited under Act 10, 1911 (Seditious Meetings Act), to be deemed an unlawful assembly . . . . .	Act 4, 1898, s. 5 Act 10, 1911, s. 6(2).
Dispersion of unlawful assemblies use of military force . . . . .	Act 5, 1898, Ch. IX. Bom. Act 4, 1902 ss. 40-41.
Powers for prevention of rioting and disturbances of peace, etc . . . . .	Bom. Act 4, 1890, ss. 42 to 44, 68 Bom. Act 4, 1902, ss. 23 to 27, 127, 128.
Power to award compensation to person injured by act of unlawful assembly. <i>See</i> CRIMINAL PROCEDURE (INDIAN), 6; DISTURBED DISTRICTS; POLICE, I.	
Obligation to give information of offences . . . . .	Act 5, 1898, ss. 44, 45.
Affray . . . . .	Act 45, 1860, ss. 159, 160.
Circulating false report to disturb public tranquillity . . . . .	„ s. 505.
Unlawful associations . . . . .	Act 14, 1908, Pt. II.
Unlawfully holding public meeting or delivering speeches in public places in proclaimed area . . . . .	Act 10, 1911, ss. 6, 7.

*See also* CRIMINAL PROCEDURE (INDIAN), 6; DISTURBED DISTRICTS; POLICE, I.

## 7. Offences by or relating to Public Servants.

Public servant allowing prisoner of State or war to escape . . . . .	Act 45, 1860, ss. 128, 129.
„ „ taking illegal gratification . . . . .	„ ss. 161, 165.
„ „ abetting offence against s. 162 or s. 163 . . . . .	„ s. 164.
„ „ disobeying law or framing incorrect document, with intent to cause injury . . . . .	„ ss. 166, 167.
„ „ unlawfully engaging in trade or buying property . . . . .	„ ss. 168, 169.
„ „ authority for instituting proceedings against . . . . .	Act 5, 1898, s. 197.
Taking gratification to influence public servant . . . . .	Act 45, 1860, ss. 162, 163.
Personating public servant . . . . .	„ ss. 170, 171.

*See also below*, 9

CRIMINAL LAW (INDIAN)—*contd.*

## 8. Contempts of lawful authority of Public Servants.

Absconding to avoid service of summons, etc. . . . .	Act 45, 1860, s. 172.
Preventing service or publication of summons, notice, etc. . . . .	" s. 173.
Omission to attend in obedience to order of public servant . . . . .	" s. 174.
" to produce document . . . . .	" s. 175.
" to give notice or information . . . . .	" ss. 176, 177, <i>expln.</i>
Furnishing false information . . . . .	" s. 177.
Refusing to make oath or affirmation . . . . .	" s. 178.
" to answer question . . . . .	" s. 179.
" to sign statement . . . . .	" s. 180.
False statement on oath or affirmation . . . . .	" s. 181.
Giving false information to cause injury . . . . .	" s. 182.
Resistance to taking of property by lawful authority of public servant . . . . .	" s. 183.
Obstructing sale of property . . . . .	" s. 184.
Illegal purchase or bid for property . . . . .	" s. 185.
Obstructing public servant in discharge of public functions . . . . .	" s. 186.
Omission to assist public servant . . . . .	" s. 187.
Disobedience to order duly promulgated by public servant . . . . .	" s. 188.
Threat of injury to public servant . . . . .	" s. 189.
" " to induce person to refrain from applying for protection of public servant . . . . .	" s. 190.
Authority for instituting prosecution under ss. 172 to 188 of Act 45, 1860 . . . . .	Act 5, 1898, s. 195(a)
Procedure in case of offences under ss. 172 to 188 of Act 45, 1860 . . . . .	" ss. 476 to 487. Act 15, 1882, Ch. 12.

## 9. False Evidence and Offences against Public Justice.

Giving or fabricating false evidence . . . . .	Act 45, 1860, ss. 191 to 195.
Using false evidence . . . . .	" s. 196.
Issuing or using false certificate . . . . .	" ss. 197, 198.
Making or using false declaration . . . . .	" ss. 199, 200.
Withholding evidence, etc., to screen offender . . . . .	" ss. 201, 202, 203, <i>expln.</i>
Giving false evidence as to offence . . . . .	" s. 203.
Secretion or destruction of document . . . . .	" s. 204.
False personation in suit or prosecution . . . . .	" s. 205.
Fraudulently removing or concealing property . . . . .	" s. 206.
" claiming property . . . . .	" s. 207.
" suffering decree for sum not due . . . . .	" s. 208.
" making false claim in Court . . . . .	" s. 209.
" obtaining decree for sum not due . . . . .	" s. 210.
False charge with intent to injure . . . . .	" s. 211.
Harbouring offender . . . . .	" ss. 130, 212, 216, 216A, 216B.
Taking or offering gift, etc., to screen offender . . . . .	" ss. 213, 214.
Taking gift to help to recover stolen property . . . . .	" s. 215.



CRIMINAL LAW (INDIAN)—*contd.*9. False Evidence and Offences against Public Justice—*contd.*

Public servant disobeying law, or framing incorrect record, to save person from punishment or property from forfeiture . . . . .	Act 45, 1860, ss 217, 218.
„ „ corruptly making report, etc., in course of judicial proceeding . . . . .	„ s 219.
„ „ or other person corruptly committing for trial or keeping person in confinement . . . . .	„ s 220.
„ „ omitting to apprehend person or keep person in confinement, or suffering escape . . . . .	„ ss. 221, 222, 223, 225A, Act 27, 1870, s. 13.
„ „ insult or interruption to, in judicial proceeding . . . . .	Act 45, 1860, s. 228.
Resistance or obstruction to lawful apprehension . . . . .	„ ss. 224, 225, 225B, Act 27, 1870, s. 13.
Unlawful return from transportation . . . . .	Act 45, 1860, s. 226.
Violation of condition of remission of punishment . . . . .	„ s. 227.
Personation of juror or assessor . . . . .	„ s. 229.
Authority for instituting prosecutions under ss. 193 to 196, 199, 200, 205 to 211, 228 of Act 45, 1860 . . . . .	Act 5, 1899, s. 195(b).
Procedure in case of offences under Act 45, 1860—	
ss. 193 to 196, 199, 200, 205 to 211, 228 . . . . .	„ ss. 476 to 487, Act 15, 1882, Ch. 12.

## 10. Offences relating to Coin or Government Stamps.

## Coin :

Definition of "coin" and "Queen's coin" . . . . .	Act 45, 1860, s. 230.
Counterfeiting . . . . .	„ ss. 231, 232.
„ making, etc., instrument, etc., for . . . . .	„ ss. 233 to 235.
Abetting in British India the counterfeiting of coin elsewhere . . . . .	„ s. 236.
Counterfeit coin : import or export of . . . . .	„ ss 237, 238.
„ „ other dealings with . . . . .	„ ss. 239 to 243.
Mint : employé of mint causing coin to be of unlawful weight or composition . . . . .	„ s. 244.
„ unlawfully taking coming instrument from . . . . .	„ s 245.
Fraudulently diminishing weight or altering composition of coin . . . . .	„ ss. 246, 247.
Altering appearance of coin, etc. . . . .	„ ss. 248 to 254.

## Government stamps :

Counterfeiting . . . . .	„ s 255.
„ making, etc., instrument, etc., for . . . . .	„ ss. 256, 257.
Dealings with . . . . .	„ ss. 258 to 260.
Offences in connection with stamps already used . . . . .	„ ss. 261 to 263.
Fictitious stamps . . . . .	
Meaning of "Government," as used in ss. 255 to 263A . . . . .	„ s. 263A.
Postage stamps to be deemed stamps issued by Government for the purpose of revenue . . . . .	Act 6, 1898, s. 17.
Enhanced punishment for certain offences after previous conviction . . . . .	Act 45, 1860, s. 75.

## 11. Offences relating to Weights and Measures.

Fraudulent use of false instrument for weighing . . . . .	„ s. 264.
„ „ weight or measure . . . . .	„ s. 265.
Possessing, making, etc., false weight or measure . . . . .	„ ss. 266, 267.

CRIMINAL LAW (INDIAN)—*contd.*

12. Offences affecting the Public Health, Safety, Convenience, Decency or Morals.

Definition of "public nuisance" . . . . .	Act45,1860,s.268.
Spreading infection of disease dangerous to life . . . . .	" ss.269,270.
Disobeying quarantine rule . . . . .	" s 271.
Adulteration of food, drink or drugs . . . . .	" ss.272to275.
" " " " destruction of article on conviction . . . . .	Act5,1898,s.521.
Sale of drug or medical preparation as different drug or preparation . . . . .	Act45,1860,s.276.
Fouling water . . . . .	" s.277.
Making atmosphere noxious . . . . .	" s.278.
Rash driving, riding or navigation . . . . .	" ss.279,280.
Exhibiting false light, mark or buoy . . . . .	" s.281.
Conveying person in unsafe vessel . . . . .	" s.282.
Causing danger in public way or line of navigation . . . . .	" s.283.
Negligent conduct with respect to—	
poison, fire, combustibles, explosive, machinery or animal	Act45,1860,ss 284to287,289.
pulling down or repairing building . . . . .	" s.288.
Other public nuisances . . . . .	" s.290.
Continuance of nuisance after injunction to discontinue . . . . .	" s 291.
Obscenity . . . . .	" ss.292,293,294.
destruction of obscene books, etc., on conviction . . . . .	Act5,1898,s.521
Keeping lottery office . . . . .	Act45,1860,s.294A. Act27,1870,s.13.
" " " authority for instituting prosecution for . . . . .	Act5,1898,s.196.

13. Offences relating to Religion.

Defiling place of worship, disturbing religious assembly, trespassing on burial place, etc. . . . .	Act45,1860,ss.295to297.
Uttering words, etc., to wound religious feelings . . . . .	" s.298.
" " " " " " offence may be compounded } . . . . .	Act5,1898,s.345.

14. Offences affecting the Human Body.

(a) OFFENCES AFFECTING LIFE.

Culpable homicide and murder ; attempts . . . . .	Act45,1860,ss.299to304, 307,308.
" " " " duty to give information of offence . . . . .	Act5,1898,ss.44,45.
Causing death by negligence . . . . .	Act45,1860,s.304A. Act27,1870,s.13.
Suicide ; abetment and attempt . . . . .	Act45,1860,ss.305,306,309.
Being a thug . . . . .	" ss.310,311.
Causing miscarriage, etc. . . . .	" ss.312to316.
Exposure of child ; concealment of birth . . . . .	" ss.317,318.
Rash act endangering human life . . . . .	" s 336.

(b) OTHER OFFENCES.

Causing hurt . . . . .	" ss.319to335,337,338.
" " compounding for offence . . . . .	Act5,1898,s.345.

•CRIMINAL LAW (INDIAN)—*contd.*

#### 14. Offences affecting the Human Body—*contd.*

(b) OTHER OFFENCES—*contd.*

Rash act endangering personal safety	.	.	.	.	.	Act45,1860,s.336.
Wrongful restraint and wrongful confinement	.	.	.	.	.	„ ss 338to348.
„ „ „ „ „	.	.	.	.	compounding offence	for } Act5,1898,s.345.
Criminal force and assault	.	.	.	.	.	Act45,1860,ss.349to358.
„ „ „	.	.	.	.	compounding for offence	Act5,1898,s.345.
Kidnapping and abduction	.	.	.	.	.	Act15,1860,ss 359to369.
Slavery	.	.	.	.	.	„ ss.370,371.
Selling or buying minor for purposes of prostitution, etc.	.	.	.	.	.	„ ss.372,373.
Unlawful compulsory labour	.	.	.	.	.	s.374.
„ „ „	.	.	.	.	compounding for offence	Act5,1898,s.345.
Rape	.	.	.	.	.	Act45,1860,ss.375,376.
„ whipping	.	.	.	.	.	Act4,1909,s.4.
Unnatural offences	.	.	.	.	.	Act45,1860,s.377.
„ „ whipping	.	.	.	.	.	Act4,1909,s.4.

### 15. Offences against Property.

Theft . . . . .	{	Act45,1860,ss.378to382. Act9,1910,s.39.
„ obligation to give information of offence under s. 382, Act 45, 1860 . . . . .	}	Act5,1898,ss.44,45.
„ whipping . . . . .		Act4,1909,s.5.
Extortion . . . . .		Act45,1860,ss.383to389.
Robbery and dacoity . . . . .		„ ss.390to402.
„ „ „ obligation to give information of offences . . . . .		Act5,1898,ss.44,45.
„ „ „ whipping . . . . .		Act4,1909,s.4.
Criminal misappropriation of property . . . . .		Act45,1860,ss.403,404.
„ breach of trust . . . . .		„ ss.405to409.
Receiving, etc., stolen property . . . . .		„ ss.410to414.
Cheating . . . . .		„ ss.415to420.
Fraudulent deeds and dispositions of property . . . . .		„ ss.421to424.
Mischief . . . . .		„ ss.425to438,440.
„ with respect to documents . . . . .		„ s.477.
„ obligation to give information of offence . . . . .		Act5,1898,ss.44,45.
„ compounding for offence . . . . .		Act45,1860,s.345.
Running vessel aground or ashore to commit theft, etc. . . . .		„ s.439.
Criminal trespass . . . . .		„ ss 441to460.
„ „ obligation to give information of offence . . . . .		Act5,1898,ss.44,45.
Criminal trespass; compounding for offence . . . . .		Act5,1898,s.345.
Dishonestly breaking open receptacle containing property . . . . .		Act45,1860,ss.461,462.
Enhanced punishment for certain offences after previous conviction . . . . .	}	„ s.75.

## 16. Offences relating to Documents.

Forgery	Act 45, 1860, ss. 463, 465 to 469.
Definition of "making a false document"	" " " " s. 464.

CRIMINAL LAW (INDIAN)—*contd.*

16. Offences relating to Documents—*contd.*

Using, or intending to use, as genuine, a forged document . . . . .	Act 15, 1860, ss. 470, 471, 474.
Making, etc., counterfeit seal, mark, etc. . . . .	„ ss. 472, 473, 475, 476.
Fraudulent cancellation, destruction, etc., of will, authority to adopt, or valuable security . . . . .	„ s. 477.
Authority for instituting prosecutions under ss. 463, 471, 475, 476, Act 45, 1860 . . . . .	Act 5, 1898, s. 195(c).
Procedure in case of offences under ss. 463, 471, 475, 476, Act 45, 1860 . . . . .	Act 5, 1898, ss. 476 to 479, 487.
Falsification of accounts, etc. . . . .	Act 45, 1860, s. 477A.
„ „ punishment of native agents of landholders for falsification, etc., of accounts . . . . .	(Ben. and E. B.) Ben. Reg. 12, 1817, s. 30.

17. Trade, Property and other Marks.

Definitions and punishments (See MERCHANDISE MARKS) . . . . .	Act 45, 1860, ss. 478 to 489.
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18. Currency Notes and Bank Notes.

Counterfeiting currency or bank note . . . . .	„ s. 489A.
Using as genuine or possessing counterfeit notes . . . . .	„ ss. 489B, 489C.
Making or possessing instruments for making counterfeit notes . . . . .	„ s. 489D.

19. Criminal Breach of Contracts of Service.

Breach of contract of service during journey . . . . .	„ s. 490.
„ „ to attend on or supply wants of helpless person . . . . .	„ s. 491.
„ „ to serve at distant place to which servant is conveyed at master's expense . . . . .	„ s. 492.
Cognizance of offence may be taken only on complaint of aggrieved party . . . . .	Act 5, 1898, s. 198.
Compounding for offence . . . . .	„ s. 315.

20. Offences relating to Marriage.

Cohabitation caused by man deceitfully inducing belief of lawful marriage . . . . .	Act 45, 1860, s. 493.
Bigamy . . . . .	„ ss. 494, 495.
Fraudulently going through marriage ceremony without lawful marriage . . . . .	„ s. 496.
Cognizance of offences under ss. 493 to 496 may be taken only on complaint of aggrieved party . . . . .	Act 5, 1898, s. 198.
Adultery . . . . .	Act 45, 1860, s. 497.
„ in Sindh, Punjab and British Baluchistan frontier districts : married woman punishable . . . . .	Reg. 5, 1872, s. 7. Reg. 3, 1901, s. 30.
Enticing, etc., married woman . . . . .	Act 45, 1860, s. 498.
Cognizance of offence under s. 497 or s. 198 may be taken only on complaint by husband or guardian of woman . . . . .	Act 5, 1898, s. 199.
Compounding offence under s. 497 or s. 498 . . . . .	„ s. 315.

CRIMINAL LAW (INDIAN)—*contd.*

## 21. Defamation.

Definition, exceptions and punishments . . . . .	Act 45, 1860, ss. 499 to 502.
Cognizance of offence may be taken only on complaint of aggrieved party . . . . .	} Act 5, 1898, s. 199.
Compounding for offence . . . . .	
Destruction of defamatory documents on conviction . . . . .	„ s. 345.
	„ s. 521.

## 22. Criminal Intimidation, Insult and Annoyance.

Definitions and punishments . . . . .	Act 45, 1860, ss. 503 to 510.
Compounding for certain offences . . . . .	Act 5, 1898, s. 345.

## 23. Abetment and Attempts.

Definitions of "abetment" and "abettor" . . . . .	{ Act 45, 1860, ss. 107, 108, 109A.
Punishment for abetment . . . . .	
„ „ attempt to commit offence . . . . .	„ ss. 109 to 120.
„ „ attempt to commit offence . . . . .	„ s. 511.
Ss. 107 to 120 and 511 applied to offences under sections added by Act 27, 1870 . . . . .	{ Act 27, 1870, s. 13.
Compounding for abetment or attempt . . . . .	
Suicide . . . . .	Act 5, 1898, s. 345.
	Act 45, 1860, ss. 305, 306, 309.

## 24. Procedure.

See CRIMINAL PROCEDURE (INDIAN).

## 25. Special and Local.

Indian Penal Code (Act 45, 1860) declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
the Chittagong Hill-tracts . . . . .	Reg. 1, 1900, s. 4.
the Arakan Hill District . . . . .	Reg. 9, 1874, s. 3.
Upper Burma generally (except the Shan States) . . . . .	Act 13, 1898, s. 4, Sch. 1.
British Baluchistan . . . . .	Reg. 1, 1890, s. 3.
Angul District . . . . .	Reg. 1, 1894, s. 3.
Kachin Hill-tracts, as regards hill-tribes (with modification)	Reg. 1, 1895, s. 3.
certain tracts in the Chin Hills (with modification) . . . . .	Reg. 5, 1896, s. 3.
Acts 27, 1870, and 19, 1872 (amending Penal Code), declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
the Arakan Hill District . . . . .	Reg. 9, 1874, s. 3.
Acts 8, 1882, and 10, 1886, ss. 21 to 24 (amending Penal Code), declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
Act 4, 1898 (amending Penal Code), declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
Act 12, 1899 (Currency Notes Forgery, amending Penal Code), declared in force in—	
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
Act 24, 1855 (Penal Servitude), declared in force in—	
whole of British India except the Scheduled Districts . . . . .	Act 15, 1874, s. 3.
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.

CRIMINAL LAW (INDIAN)—*concl.*

25. Special and Local—*contd.*

Act 24, 1855 (Penal Servitude), declared in force in—*contl.*

Upper Burma generally (except the Shan States)	Act 13, 1893, s. 4, Sch. I.
British Baluchistan	Reg. 1, 1890, s. 3.

[1] Act 6, 1864 (Whipping), declared in force in—

Angul and the Khondmals	Reg. 1, 1894, s. 3.
Kachin Hill-tracts, as regards hill-tribes (with a modification)	Reg. 1, 1893, s. 3.
certain tracts in the Chin Hills (with a modification)	Reg. 5, 1896, s. 3.
the Chittagong Hill-tracts (with a modification)	Reg. 1, 1900, s. 4.

Indian Penal Code applied to offences committed before 1st January, 1862, in—

Punjab	Act 4, 1872, s. 39.
Ajmere	Reg. 3, 1877, s. 29.

Indian Penal Code repealed in Sindh Frontier, so far as Reg. 5, 1872, is inconsistent with the Code

Reg. 5, 1872, s. 11.

For local laws, see also ANGUL; BURMA (3); CHIN HILLS; DISTURBED DISTRICT, FRONTIER, GANJAM AND VIZAGAPATAM; KACHIN HILLS; SPITI.

For special laws, see COINAGE, EXCISE; FOREST, 7; MERCHANDISE MARKS; MURDEROUS OUTRAGES, PRECIOUS STONES, and other heads.

CRIMINAL LUNATICS ACT, 1884 (See LUNATIC) 47-8V.c.64.

CRIMINAL PROCEDURE (INDIAN).

1816. Mad. Reg. 11, s. 47 (Maintenance of the peace)	1877. Reg. 1, ss. 38, 39, 41 (Courts, Ajmere).
1817. Ben. Reg. 20, s. 30 (Prevention of offences).	1883. Reg. 1, s. 18 (Prevention of offences).
1827. Bom. Reg. 12, s. 27 (2) (Prevention of offences).	1886. Mad. Act 1, s. 40 (Excise, Madras).
„ Bom. Reg. 13, s. 34 (2) (Summons).	1887. Ben. Act 5, ss. 22, 30 (Prevention of offences).
1856. Act 20, s. 52 (Prevention of offences).	„ Reg. 9, s. 5 (Frontiers, etc.).
1857. Act 21, ss. 1, 3 (Prevention of offences, Howrah).	„ Reg. 12, s. 9 (Precious Stones, Upper Burma).
1866. Ben. Act 2, ss. 16, 44 (Police, Calcutta Suburbs).	1888. Mad. Act 3, ss. 25, 64 (Police, Madras City).
„ Ben. Act 4, ss. 32, 74, 75 (Police, Calcutta).	1890. Bom. Act 4, ss. 42 to 44, 46, 50, 54, 55, 68, 70, 71 (Breach of the peace).
1867. Act 16 (Acting Judges)	„ Reg. 1, s. 3 (Laws, British Baluchistan).
„ Bom. Act 8, ss. 6, 8 (Prevention of offences).	1892. Reg. 3, s. 27 (Sindh Frontier).
1870. Ben. Act 6, s. 39 (Prevention of offences).	„ Reg. 5 (Criminal Justice, Upper Burma).
1872. Reg. 3, s. 3 (Laws, Santhal Parganas).	1893. Reg. 5, s. 4 (Justice, Santhal Parganas).
„ Reg. 5, s. 11 (Sindh Frontier).	1894. Reg. 1, s. 3 (Laws, Angul).
1873. Act 16, s. 8 (Prevention of offences).	1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1874. Act 15, ss. 5, 6 (Laws Local Extent).	1896. Reg. 5, s. 3 (Laws, Chin Hills).
1876. Reg. 3, s. 13 (Andamans).	„ Reg. 8, s. 3 (Criminal Justice, British Baluchistan).
1877. Act 4, s. 57 (Fees for processes).	1898. Act 5 (Criminal Procedure).

[1] Act 6, 1864, is repealed except in the Angul District, the Chittagong Hill-tracts, Kachin Hill-tracts, and the Chin Hills; it is not indexed.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

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| 1898. Act 6, s. 7 (Post Office).                      | 1902. Bom. Act 4, ss. 40 to 44, 57 to 110 (Police, Bombay City). |
| " Act 13, s. 4 (Laws, Burma).                         | 1903. Act 15, s. 23 (Extradition).                               |
| 1899. Act 2, s. 72 (Stamps).                          | 1904. Act 2, s. 3 (Courts, Central Provinces).                   |
| " Bur. Act 1, s. 17 (Gaming, Burma).                  | 1907. Bur. Act 6, s. 7 (Village, Burma).                         |
| " " 4, ss. 30, 31A, 35, 36 (Police, Rangoon).         | 1908. Act 7, s. 9 (Newspapers).                                  |
| 1900. Act 6, ss. 8, 13 (Courts, Lower Burma).         | " Act 14 (Criminal Law Amendment).                               |
| " Reg. 1, s. 4 (Chittagong Hill-tracts).              | 1909. Act 3, ss. 45, 100, 104 (Insolvency, Presidency-towns).    |
| 1901. Reg. 1, s. 16 (Courts, Coorg).                  | 1910. Act 1, ss. 7, 12 (Press).                                  |
| " Reg. 3 (Frontier Crimes).                           | " E. B. A. Act 1, s. 49 (Excise).                                |
| " Reg. 7, ss. 3, 6, 42 (Laws and Justice, N.-W. Fr.)  | " U. P. Act 4, s. 49 (Excise).                                   |
| 1902. Act 2, s. 44 (Cantonments, House-accommodation) | 1911. Act 10, ss. 4, 6 (Prevention of Seditious Meetings).       |
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|--|-----------------------------------|
| 1. Preliminary.  | 8 Proceedings in Prosecutions.    |
| 2. Criminal Courts and Offices.                          | 9 Sentences                       |
| 3. Aid and Information to Magistrates, etc               | 10 Appeal, Reference and Revision |
| 4. Arrest, Escape and Retaking.                          | 11. Special Proceedings.          |
| 5. Processes.  | 12 Supplementary Provisions.      |
| 6. Prevention of Offences.                               | 13 Special and Local.             |
| 7. Information to the Police, and Investigation thereon. |                                   |

## 1. Preliminary

Act 5, 1898 (the Code of Criminal Procedure, 1898)—

extends to whole of British India . . . . .	Act 5, 1898, s. 1.
declared in force in—	
the Chittagong Hill-tracts . . . . .	Reg. 1, 1900, s. 4.
the Santhal Parganas . . . . .	Reg. 3, 1872, s. 3.
	Reg. 5, 1893, s. 4.
Upper Burma (except the Shan States) (with modifications). {	Reg. 5, 1892, s. 2.
not to affect special or local laws, etc., except as specifically provided . . . . .	Act 13, 1898, s. 4, Sch. I.
to apply to proceedings under Act 7, 1908 . . . . .	Act 5, 1898, s. 1.
Saving of notifications, etc., under, and references in, prior Acts	Act 7, 1908, s. 9.
General definitions . . . . .	Act 5, 1898, ss. 2, 3.
Offences under Indian Penal Code and other laws to be tried under Act 5, 1898; saving of provisions of such other laws . . . . .	" s. 4, Sch. II.
	s. 5.

## 2. Criminal Courts and Offices.

Classes of Courts . . . . .	" s. 6.
Sessions Divisions, Districts and Sub-divisions; constitution and alteration of . . . . .	" ss. 7, 8.
Constitution of Courts of Session and appointment, etc., of Sessions Judges . . . . .	" ss. 9, 17.
Power to appoint Acting Judges . . . . .	Act 10, 1867.
Appointment, etc., of Provincial Magistrates . . . . .	Act 5, 1898, ss. 10 to 14, 17.
Benches of Magistrates; constitution, etc., of . . . . .	" ss. 15 to 17.
Appointment, etc., of Presidency Magistrates . . . . .	" ss. 18 to 21.
" " of Justices of the Peace . . . . .	" ss. 22 to 25.

CRIMINAL PROCEDURE (INDIAN)—*contd.*2. Criminal Courts and Offices—*contd.*

Suspension and removal of Judges, Magistrates and Justices of the Peace . . . . .	Act 5, 1898, ss. 26, 27.
Powers of Courts :	
Offences cognizable by Courts of various classes . . . . .	" ss. 29 to 30, Sch II.
Ordinary and additional powers of Magistrates . . . . .	" ss. 36 to 38, Schs. III, IV.
Conferment, continuance and cancellation of powers . . . . .	" ss. 39 to 41.
Sentences which may be passed. <i>See below</i> , 9 (I).	
Magisterial powers of police-officers . . . . .	
<i>See</i> POLICE, I, A, 2 ; B ; D, 1 ; F, 2 ; G, 2 ; H, 2 ; J, 2.	

## 3. Aid and Information to Magistrates, etc.

Public when bound to assist Magistrates and police . . . . .	" s. 42.
Aid to person (other than police-officer) executing warrant . . . . .	" s. 43.
Public bound to give information of certain offences . . . . .	" s. 44.
Certain village-officers, owners and occupiers of land and their agents, and officers collecting revenue or rent for Government or for Court of Warda, bound to give information of certain offences . . . . .	" s. 45.
S. 45, Act 5, 1898, not to apply to village tracts in Burma . . . . .	Bur. Act 6, 1907, s. 7(2).
Notice to be given of certain public meetings in areas proclaimed under Act 10, 1911 . . . . .	Act 10, 1911, s. 4.
<i>See also</i> FOREST, 8	

## 4. Arrest, Escape and Retaking.

Arrest how made . . . . .	Act 5, 1898, s. 46.
" when death may be caused in effecting . . . . .	" s. 46.
" no unnecessary restraint to be used . . . . .	" s. 50.
" search of places ; breaking open doors or windows . . . . .	" ss. 47 to 49.
" " arrested person . . . . .	" ss. 51, 52.
" seizure of offensive weapons . . . . .	" s. 53.
Arrest without warrant :	
By police, in what cases allowed . . . . .	" ss. 54, 55, 59, 151.
" on refusal to give name and residence . . . . .	" ss. 57, 59.
" written order to be given to subordinate officer required to make arrest . . . . .	" s. 56.
" pursuit of offender into other jurisdictions . . . . .	" s. 58.
" detention of persons arrested under extradition law or under Fugitive Offenders Act, 1881 . . . . .	Act 15, 1903, s. 23.
By private person, in what cases allowed . . . . .	Act 5, 1898, s. 59. (Bo. Town) Bom. Act 4, 1902, ss. 83, 84. (Cal.) Ben. Act 4, 1866, ss. 74, 75. (Cal. Sub.) Ben. Act 2, 1866, s. 44. (Mad. City) Mad. Act 3, 1888, s. 35. (Ran., Bur.) Act 4, 1899, ss. 35, 36.



CRIMINAL PROCEDURE (INDIAN)—*contd.*4. Arrest, Escape and Retaking—*contd.*Arrest without warrant—*contd.*

By or by direction of Magistrate . . . . .	Act5,1893,ss.64,65.
Arrested person how to be dealt with . . . . .	„ ss.57,59to61.
Report of arrests to Magistrate . . . . .	„ s.62.
Discharge of arrested person . . . . .	„ s.63.

Arrest under warrant *See below*, 5 (1).

Escape or rescue; power to pursue and re-arrest offender; ss. 47 to 49 to apply . . . . .	„ ss.66,67.
Arrest, etc., in Bombay City . . . . .	Bom.Act4,1902,ss.77to88.

## 5. Processes.

## Processes to compel appearance :

## (1) Summonses and Warrants of arrest :

Summons; form of . . . . .	Act5,1893,s.68,Sch.V, Forms1,31.
„ service of . . . . .	„ ss.68to74.
Warrant of arrest; form of . . . . .	„ s.75,Sch.V, Form2.
„ „ continuance of . . . . .	„ s.75.
„ „ release of offender on giving security . . . . .	„ s.76,Sch.V, Form2.
„ „ to whom to be directed . . . . .	„ ss.77to79.
„ „ execution of, arrested person how to be dealt with . . . . .	„ ss.80to86.
Power to issue warrant in lieu of, or in addition to, summons . . . . .	„ s.90,Sch.V, Form7.
Foregoing provisions applicable to all summonses and warrants of arrest issued under Act . . . . .	„ „
Power of Court to substitute order or letter for summons in certain cases . . . . .	Bom.Reg.13,1827,s.34(3).
Bom. Reg. 13, 1827, s. 34 (3), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts . . . . .	Act15,1874,s.5.
Fees to be paid for summonses and warrants issued by Presidency Magistrate, except in certain cases. . . . .	Act4,1877,s.57.

(2) Proclamation for person absconding . . . . .	Act5,1893,s.87,Sch.V, Forms4,5.
(3) Attachment of property of persons absconding; restoration of property . . . . .	„ ss.88,89.
(4) Bond for appearance: power to require, when offender is present in Court; arrest on breach of bond . . . . .	„ ss.91,92.

## Processes to compel production of documents and other moveable property :

Summons or order to produce . . . . .	„ s.94.
Letters and telegrams in custody of postal or telegraph authorities how to be obtained . . . . .	„ s.95.
Search-warrant . . . . .	„ ss.96,97,98, 101to103,Sch.V, Forms8,9.
Search-warrant: disposal of things found in search beyond jurisdiction . . . . .	„ s.99.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

5. Processes—*contd.*

Search-warrant for discovery of person wrongfully confined . . . . .	{	Act5,1898,ss.100to103.
Power to impound document, etc., produced in Court . . . . .	.	„ s.104
Power of Magistrate to direct search in his presence . . . . .	.	„ s.105.
Application of provisions to processes of Insolvency Courts in Presidency-towns and Rangoon . . . . .	}	Act3,1909,s.100.
„ „ to search-warrants under Act 1, 1910 . . . . .	.	Act 1,1910,ss.7(2),12(2), Bom.Act4,1902,ss.89to105.
Summons, warrant and search-warrant in Bombay City . . . . .	{	

6. Prevention of Offences.

(a) SECURITY FOR KEEPING THE PEACE AND SECURITY FOR  
GOOD BEHAVIOUR.

Security for keeping the peace on conviction :

Power to order execution of bond . . . . .	{	Act 5,1898,s 106,Sch.V, Form10.
Security for keeping the peace in other cases, and security for good behaviour : power to require ; procedure . . . . .	}	„ ss.107to119. Sch.V,Forms11,12.
Application of ss. 110, <i>et seq.</i> , of Code to persons earning livelihood by carrying on game of <i>ti</i> in Burma . . . . .	}	Bur.Act 1, 1899,s.17.
Proceedings in all cases subsequent to order to furnish security . . . . .	{	Act5,1898,ss.120to126, Sch.V,Forms13to15.
Ch. VIII (ss. 106 to 126) of Code, modified— in North-West Frontier, Punjab and British Baluchistan Frontier Districts . . . . .	}	Reg 3,1901,s.47[1].
on Sindh Frontier . . . . .	.	Reg 3,1892,s.27.
Ss. 112 to 126 of Code applied to cases under s. 5 of Reg. 9, 1887 (Frontier Crossing and Disturbed Districts) . . . . .	}	(Br.Bal.)Reg.9,1887,s.5.
Application of ss 120 to 126, 514, 515 to security required from persons going armed, disguised, loitering, etc., in Rangoon town . . . . .	}	Bur.Act4,1899,s.31A.

(b) UNLAWFUL ASSEMBLIES.

Dispersion of . . . . .	{	Act5,1898,ss.127to132. (Bo.City)Bom.Act4,1902, ss.40to43.
Public meeting prohibited under Act 10, 1911, deemed to be an unlawful assembly . . . . .	}	Act10,1911,s.6(2).

See also CRIMINAL LAW (INDIAN), 6.

(c) NUISANCES.

Powers and procedure for removal of public nuisances . . . . .	{	Act5,1898,ss.133to143, Sch.V,Forms16to20.
Power to issue temporary order absolute at once in urgent case of nuisance . . . . .	}	„ s.144,Sch.V, Form21.

[P]Reg. 3, 1901, has been extended (with modification) to British Baluchistan by notification under Act 14, 1874.

CRIMINAL PROCEDURE (INDIAN)—*contd.*6. Prevention of Offences—*contd.*

## (d) DISPUTES AS TO IMMOVEABLE PROPERTY.

Dispute likely to cause breach of the peace—

concerning land, etc.; power to continue one party in possession or to attach property, pending decision of Civil Court . . . . .	Act5,1898,ss 145,146. Sch.V,Forms22,23.
concerning easements, etc.; power to permit or prohibit action pending decision of Civil Court . . . . .	" s.147,Sch.V, Form24.
local enquiry . . . . .	" ss.145,147,148.
costs of proceedings . . . . .	" s.148.

## (e) PREVENTIVE ACTION OF THE POLICE.

Police to prevent cognizable offences and may make arrest . . . . .	" ss.149to151.
" may interpose to prevent injury to public property . . . . .	" s.152.
Police may inspect weights, measures and instruments for weighing, and seize false ones ( <i>See also</i> WEIGHTS AND MEASURES) . . . . .	Act5,1898.s.153.

## (f) MISCELLANEOUS.

Powers of District Magistrate for prevention of offences when security cannot be furnished . . . . .	Bom.Reg.12,1827,s.27(2).
Bom. Reg. 12, 1827, s. 27 (2), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts . . . . .	Act15,1874,s.5,Sch.III.
Power of Magistrate to issue orders, etc., to prevent breach of the peace; enforcement of such orders; penalties . . . . .	Bom.Act4,1890,ss.42to 44,50,54,68,71.
Power of Magistrate to disperse, etc., gangs, enforcement of orders; penalty . . . . .	" ss.46,50,53,70.
Magistrates charged with maintenance of the peace, and to apply for assistance of the military when necessary . . . . .	Mad. Reg.11,1816,s.47.
Mad. Reg. 11, 1816, s. 47, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .	Act15,1874,s.4. (Bo.Town)Bom.Act4, 1902,ss.36,112. (Br.Bal.,N-W.F.,Punj) [1]Reg.3,1901,s.29,Reg.7, 1901,s.3. (Cal.)Ben.Act.4,1866,s.32 (rep.pt.Ben.Act3,1910, s.34). (Cal.Sub)Ben.Act2,1866, s.16(rep.pt.Ben.Act3, 1910,s.34). (Howrah)Act21,1857. ss.1,3. (M.City)Mad.Act3,1888, s.64. (Ran.)Bur.Act4,1899,ss. 30,31A. (Bo.City)Bom.Act4,1902. ss.27,127,128.
Penalty for being armed or disguised with intent to commit offence, or for loitering, etc.; arrest without warrant . . . . .	
Power of Commissioner of Police to disperse, etc., gangs and direct removal of convicted beggars; enforcement of order; penalty . . . . .	Act20,1856,s.52. Ben.Act6,1870,s.39,Sch. B.
Duties and powers of local police as to prevention of offences : Chaukidars . . . . .	

[1] Reg. 3, 1901, has been extended (with modification) to British Baluchistan by notification under Act 14, 1874.

**CRIMINAL PROCEDURE (INDIAN)—*contd.***

**6. Prevention of Offences—*contd.***

**(f) MISCELLANEOUS—*contd.***

**Duties and powers of local police as to prevention of offences—*contd.***

Village-police . . . . .	{ Ben.Act5,1887,s.22,Sch. B.
Road patrols . . . . .	" s.30,Sch.B.
Village and road police . . . . .	(Agra)Act16,1873,s.8.
Police daroghas . . . . .	{ (Agra,Ben.,E.B.)Ben. Reg.20,1817,s.30(1),(2), (5).
Rural police . . . . .	(As.)Reg.1,1883,s.18,Sch.
Police patels . . . . .	Bom. Act8,1867,ss.6,8.
Ben. Reg. 20, 1817, ss. 20, 30 (1), (2), (5), declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . .	{ Act15,1874,s.6,Sch.4.
Prevention of offences in forests. <i>See</i> FOREST, 7.	
<i>See also</i> CRIMINAL LAW (INDIAN), 6; POLICE.	

**7. Information to the Police, and Investigation thereon.**

Information to be recorded, etc. . . . .	Act5,1898,ss.154,155.
Investigation by police into non-cognizable case to be held only on order of Magistrate; procedure . . . . .	" s.155.
" " " into case of rape by husband not to be made by police-officer of rank lower than Inspector . . . . .	" s.561.
" " " into cognizable case may be held without order of Magistrate; procedure . . . . .	Act5,1898,ss.156to158.
Examination of witnesses, and record of statements and confessions by police . . . . .	" ss.160to161.
Search by police . . . . .	" ss 165,166.
Diary of proceedings in police investigation . . . . .	" s.172.
Speedy completion of police investigation; report to Magistrate . . . . .	" s.173.
Report of investigation by subordinate police-officer . . . . .	" s.168.
Release of accused when evidence deficient . . . . .	" s.169,Sch.V, Form25.
Accused when to be sent to Magistrate; bond of accused and witnesses for appearance before Magistrate . . . . .	" ss.167,170,Sch. V,Form26.
Complainants and witnesses not to be required to accompany police-officer to Court; nor to be subjected to unnecessary restraint; proviso for cases of recusancy . . . . .	" s.171.
Investigation by Magistrate into cognizable case . . . . .	" s.169.
Violent deaths; investigation and report by police . . . . .	" s.174.
" " examination of witnesses by police . . . . .	" s.175.
" " and death of person in custody of police; enquiry by Magistrate; his power to disinter corpse . . . . .	" s.176.
Investigation into excise offences . . . . .	{ Ben.Act5,1909,ss.73to75. Mad.Act1,1886,s.40. U.P.Act4,1910,s. 43. E.B.andA.Act1, 1910,ss.42,43.
Information to police and investigation in Bombay City . . . . .	Bom.Act4,1902,ss.57to76.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

## 8. Proceedings in Prosecutions.

## (1) JURISDICTION OF COURTS IN INQUIRIES AND TRIALS.

Place for inquiry or trial . . . . .	Act5,1898,ss.177to185.
" " " issue of summons or warrant for offence committed beyond local jurisdiction; procedure on arrest . . . . .	" ss.186,187.
" " " of British subjects in British India for offences committed elsewhere? . . . . .	" ss.188to190, Act6,1898,s.57, Act2,1899,s.72.
Place for trial of European British subject] . . . . .	Act5,1898,s.336.
When holding of trial, etc., in wrong place invalidates the proceedings . . . . .	" s.531.
Conditions requisite for initiation of proceedings . . . . .	
When cognizance of offence may be taken—	
by Magistrate . . . . .	" s.190.
by Judges of Court of Session . . . . .	" ss.191,193.
by High Court . . . . .	" s.194.
Transfer of cases by Magistrate . . . . .	" ss.191,192.
Sanction or complaint of public servant, Court, Government, or party aggrieved, required before Court takes cognizance of certain offences . . . . .	Ben.Act5,1900,s.84. Act5,1898,ss.195to199.

## (2) COMPLAINT TO MAGISTRATE.

Cognizance of rape by husband to be taken by Chief Presidency Magistrate or District Magistrate only . . . . .	Act5,1898,s.561.
Examination of complainant . . . . .	" s.200.
Procedure where Magistrate not competent to take cognizance of case . . . . .	" s.201.
Postponement of issue of process . . . . .	" s.202.
When process to issue . . . . .	" s.204,Sch.II.
Power to dispense with personal attendance of accused . . . . .	" s.205.
Dismissal of complaint . . . . .	" s.203.

## (3) INQUIRY INTO CASES TRIABLE BY COURT OF SESSION OR HIGH COURT.

Power to commit for trial . . . . .	" s.206.
Procedure in inquiries preparatory to commitment; taking evidence; charge; list of witnesses . . . . .	Act5,1898,ss.207,208,210 to212.
Discharge of accused . . . . .	" s.209.
Order of commitment; commitment of person charged jointly with European British subject; quashing of order . . . . .	" ss. 213 to 215.
Securing attendance of witnesses and complainant before Court to which accused committed . . . . .	" ss.216,217,219.
Commitment to be notified, and charge, etc., forwarded . . . . .	" s.218,Sch.V, Form27.
Custody of accused pending trial . . . . .	" s.220,Sch.V, Form27.

*See also below, 11 (1), (6).*

CRIMINAL PROCEDURE (INDIAN)—*contd.*8. Proceedings in Prosecutions—*contd.*

## (4) THE CHARGE.

Form, contents, etc., of charge . . . . .	{	Act5,1898,ss.221to226. Sch.V,Form28,
Alteration of charge . . . . .	"	ss.226to231.
Effect of material error in charge . . . . .	"	§ 232.
Joinder of charges . . . . .	{	ss.237to239.
Withdrawal of remaining charges on conviction on one of several charges . . . . .	{	Act3,1909,s.104 (4).
		Act5,1898,s.240.

## (5) TRIALS BY MAGISTRATES, —

Summons cases ; procedure in trial of . . . . .	{	Act5,1898,ss.241to249. Sch.V,Form29.
Warrant cases ; " " . . . . .	{	ss.251to259,Sch. V,Forms29,31.
Procedure for, to be followed in trial of offences under Act 3, 1909		Act3,1909,s.104.
Compensation for frivolous or vexatious accusations in sum- mons and warrant cases . . . . .	{	Act5,1898,s.250.
Summary trials :		
By what Magistrates or Benches of Magistrates . . . . .	"	ss.260,261.
For what offences . . . . .	"	ss.260,261.
Procedure . . . . .	Act5,1898,ss.262(1),263.	
Limit to imprisonment . . . . .	"	s.262(2).
Record and judgment . . . . .	"	ss.263to265.
Employment of clerk by Bench . . . . .	"	s.265.

## (6) TRIALS BEFORE HIGH COURTS AND COURTS OF SESSION.

Definition of " High Court " . . . . .		Act5,1898,s.266.
Trials before High Court to be by jury ( <i>see also below</i> , 11 (6) ) . . . . .		" s.267.
" " Court of Session to be by jury or with assessors . . . . .		" ss.268,269.
" " " " " to be conducted by Public Prose- cutor . . . . .	{	" s.270.
High Court ; time and place for holding sittings . . . . .		" ss.334,335.
" " place of trial of European British subjects and persons charged jointly with them . . . . .	{	" s.336.
Commencement of trial . . . . .		" ss.271,272.
Same jury or assessors for several trials . . . . .		" s.272.
Entry on unsustainable charge before High Court . . . . .		" s.273.
Jury : number of jurors ; choosing of jurors ; special jury ; objec- tions to jurors ; foreman ; swearing ; procedure when juror ceases to attend ; discharge on sickness of prisoner . . . . .	{	" ss.274to276, 277to283.
Assessors : choosing of ; procedure when juror unable to attend . . . . .		" ss.284,285.
List of jurors for High Court and summoning jurors for that Court . . . . .	{	" ss.312to318.
List of jurors and assessors for Court of Session, and summoning jurors and assessors for that Court . . . . .	{	" ss.319to332. Sch.V,Forms 32,33.
Jury and assessors for trial of European British subjects, etc. <i>See below</i> , 11 (1).		
Procedure for trial to close of cases for prosecution and defence . . . . .	7	" ss.286to296.

CRIMINAL PROCEDURE (INDIAN)—*contd.*8. Proceedings in Prosecutions—*contd.*(6) TRIALS BEFORE HIGH COURTS AND COURTS OF SESSION—*contd.*

Power of Advocate General to stay prosecution in High Court . . . . .	Act 5, 1898, s. 333.
Power of Advocate General to exhibit informations to High Court . . . . .	" s. 194(2).
Procedure on conclusion of trial—	
in case tried by jury . . . . .	" ss. 297 to 307.
" " with assessors . . . . .	" s. 309.
Re-trial of accused after discharge of jury . . . . .	" s. 308.
Procedure in case of previous conviction . . . . .	" ss. 310, 311.
<i>See also below, 11 (1), (6).</i>	

## (7) EVIDENCE.

Evidence ordinarily to be taken in presence of accused or his pleader . . . . .	} Act 5, 1898, s. 353.
Record of evidence in High Courts, power of Court to make rules as to record of evidence . . . . .	
In other Courts :	
Manner of recording evidence in different cases . . . . .	} " ss. 354 to 360, 362.
Record of remarks respecting demeanour of witness . . . . .	
Examination of accused how to be recorded . . . . .	" s. 363.
Interpretation of evidence to accused or his pleader . . . . .	" s. 364.
Commissions for examination of witnesses . . . . .	" s. 361.
Deposition of medical witness . . . . .	" ss. 503 to 508.
Report of Chemical Examiner . . . . .	" s. 509.
Previous conviction or acquittal how proved . . . . .	" s. 510.
Record of evidence in absence of accused . . . . .	" s. 511.
Courts and persons before whom affidavits may be sworn . . . . .	" s. 512.
Power to summon material witness or examine person present . . . . .	" s. 539.
" of Presidency Magistrate to order prisoner in jail to be brought up for examination . . . . .	" s. 540.
Interpreter bound to interpret truthfully . . . . .	" s. 542.
Attendance and examination of witnesses in British India in certain criminal matters pending before certain foreign tribunals ( <i>See EVIDENCE, II, 6.</i> )	" s. 543.

## (8) JUDGMENT.

Judgment; mode of delivering . . . . .	" s. 366.
" language of . . . . .	" s. 367.
" contents of . . . . .	" ss. 367, 368.
" by Presidency Magistrate; contents of . . . . .	" s. 370.
" restrictions on alteration of . . . . .	" s. 369.
Copy of judgment and of heads of charge when to be given to accused . . . . .	} " s. 371.
Sessions Judge to inform person sentenced to death of period within which appeal should be preferred . . . . .	
Translation of judgment . . . . .	" ss. 371, 372.
Court of Session to send copy of its finding and sentence to District Magistrate . . . . .	" s. 373.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

8. Proceedings in Prosecutions—*concl.*

(9) MISCELLANEOUS PROVISIONS.

Tender of pardon to accomplice ; no other influence to be used to induce disclosures	Act 5, 1898, ss 337 to 339, 343.
Section 337 of Act amended in British Baluchistan, North-West Frontier and Punjab Frontier Districts	[1] Reg 3, 1901, s. 7.
Right of accused to be defended	Act 5, 1898, s. 340.
Procedure where accused does not understand proceedings	" s. 341.
Power to examine accused ; no oath to be administered	" s. 342.
" to postpone or adjourn proceedings and remand accused to custody	" s. 344.
Compounding offences	" s. 345.
Procedure where Magistrate finds he cannot dispose of case or should commit accused to higher Court or cannot pass sentence sufficiently severe	" ss. 346, 347, 349.
Commitment of person previously convicted of offence punishable by Chapter XVII	" s. 348.
Conviction or commitment on evidence recorded partly by one Magistrate and partly by another	" s. 350.
Detention of offenders attending Court	" s. 351.
Courts to be open	" s. 352.
Person once convicted or acquitted not to be tried for same offence	" s. 403.

9. Sentences.

(1) POWERS OF COURTS.

Sentences which may be passed by Courts of various classes—	
generally	Act 5, 1898, ss. 31 to 35.
on European British subjects	" ss. 446, 449.
Power of Court as to sentence in case of certain first offenders	" ss. 562 to 564.

(2) SUBMISSION FOR CONFIRMATION.

Court of Session's sentence of death ; submission of, to High Court ; powers and procedure of High Court	" ss. 31, 37 to 379, Sch. V, Form 34.
Certain sentences passed by Assistant Sessions Judge or by specially empowered District Magistrate to be submitted to Sessions Judge for confirmation ; powers and procedure of Sessions Judge	" ss. 31, 34, 380.

(3) EXECUTION.

Execution of order passed by High Court on reference from Court of Session	" s. 381, Sch. V, Forms 35, 36.
Postponement and commutation of capital sentence on pregnant woman	" s. 382, Sch. V, Form 36.
Execution of sentence of transportation	" ss. 381, 383.
" " imprisonment	" ss. 381, 383, 384.
Warrant	" ss. 384, 385, 389, 400.

[1] Reg. 3, 1901, has been extended with modifications to British Baluchistan under Act 14, 1874.



CRIMINAL PROCEDURE (INDIAN)—*contd.*9. Sentences—*contd.*(3) EXECUTION—*contd.*

Warrant for levy of fine . . . . .	{ Act 5, 1898, ss. 386 to 389, Sch. V, Form 37.
" " " provisions of Code, as to, applied to	
" fines imposed under any Act, Regulation, rule or bye-law . . . . .	{ Act 10, 1897, s. 25.
Suspension of imprisonment for fine on execution of bond . . . . .	Act 5, 1898, s. 388.
Execution of sentence of whipping . . . . .	" ss. 390 to 395.
" " " on escaped convicts and on offenders al-	
" ready sentenced for another offence . . . . .	{ " ss. 396 to 398.
Confinement of youthful offenders in reformatories. ( <i>See also</i>	
" YOUTHFUL OFFENDER) . . . . .	{ " s. 399.
Return of warrant on execution of sentence . . . . .	" s. 400.

## (4) SUSPENSIONS, REMISSIONS AND COMMUTATIONS.

Power of Government to suspend or remit sentences, and cancel	{	Act 5, 1898, s. 401.
suspension or remission; saving of right of Her Majesty to		
grant pardons, etc. . . . .	}	
Power of Court to suspend execution of sentence—		
pending appeal . . . . .	"	s. 426.
" report to High Court . . . . .	"	s. 438.
Power of Government to commute sentences . . . . .	"	s. 402.
" High Court to commute sentence of death passed on {	{	" s. 382, Sch. V, Form 36.
pregnant woman . . . . .		

## 10. Appeal, Reference and Revision.

Appeal: none, unless expressly provided by law . . . . .	"	s. 404.
" " when accused convicted by Court of Session or Presi-	{	" s. 412.
" dency Magistrate on plea of guilty, exception . . . . .		
" " in certain petty cases; exception . . . . .	"	ss. 413 to 416.
" from order or sentence of Magistrate or Sessions Judge {	{	" ss. 405 to 411.
" when and to whom to lie . . . . .		
" by Government against acquittal; arrest of accused; {	{	Act 5, 1898, ss. 417, 427, 431.
" abatement of appeal on death of accused . . . . .		
" against order for payment of compensation for frivolous {	{	" s. 250(3).
" or vexatious accusation . . . . .		
" on what matters admissible . . . . .	"	ss. 412, 418.
" procedure for preferring . . . . .	"	ss. 410, 420.
" summary rejection of, or notice of hearing of . . . . .	"	ss. 421, 422.
" powers and procedure of Appellate Court . . . . .	"	ss. 423 to 429.
" finality of orders passed on; exceptions . . . . .	"	s. 430.
" abatement of, on death . . . . .	"	s. 431.
Reference and revision:		
Reference by Presidency Magistrate or Judge of High Court to {	{	" ss. 432 to 434.
High Court . . . . .		
Power to call for records of inferior Courts . . . . .	"	ss. 435, 441.
" order commitment . . . . .	"	s. 436.
" " enquiry . . . . .	"	s. 437.
" report to High Court . . . . .	"	s. 438.

CRIMINAL PROCEDURE (INDIAN)—*contd.*10. Appeal, Reference and Revision—*contd.*Reference and revision—*contd.*

High Court's powers of revision . . . . .	Act 5, 1898, s. 439.
Optional with Court to hear parties . . . . .	" s. 440.
High Court's order to be certified to lower Court . . . . .	" s. 442.

See also *below*, 11 (3), 12 (2).

## 11. Special Proceedings.

(1) PROCEEDINGS AGAINST EUROPEAN BRITISH SUBJECTS,  
EUROPEANS AND AMERICANS.

What Magistrates and Judges of Courts of Session <sup>U</sup> may enquire } into and try charges against European British subjects }	" ss. 443 to 445.
Sentences which may be passed on European British subjects—	
by Provincial Magistrates . . . . .	" s. 446.
by Courts of Session . . . . .	" s. 449.
European British subject when to be committed to High Court } and when to Court of Session . . . . . }	" ss. 447, 448.
Transfer of case by Sessions Court to High Court . . . . .	" s. 449(2).
Proportion of jurors or assessors to be Europeans or Americans in case of trial of —	
European British subject . . . . .	" s. 450.
other European, or American . . . . .	" s. 460.
Right of European British subject to claim jury before District } Magistrate . . . . . }	" s. 451.
Summoning and empanelling of jurors . . . . .	" s. 462.
Procedure where European British subject charged jointly with } native . . . . . }	" ss. 336, 461.
Procedure where other European, or American, charged jointly } with native . . . . . }	" s. 461.
Procedure on claim to be dealt with as an European British sub- } ject; failure to plead status a waiver . . . . . }	" ss. 453, 454.
Trial, etc., as European British subject, not invalid, if accused } has not that status and does not object . . . . . }	" s. 455.
Right of European British subject unlawfully detained to apply } for order to be brought before High Court . . . . . }	" ss. 456 to 458.
Enactments conferring jurisdiction on Magistrates or Courts of } Session to be deemed to apply to European British subjects }	" s. 459.
Proceedings to be conducted according to provisions of Code . . . . .	" s. 463.

## (2) LUNATICS.

Postponement of trial when accused is lunatic; power to release } him or confine him in asylum; resumption of inquiry or trial }	" ss. 464 to 468, 473.
Procedure where accused is sane, but appears to have been insane } when act for which he is charged was done . . . . . }	" s. 469.
Judgment of acquittal on ground of lunacy; accused when to be } kept in custody . . . . . }	" ss. 470, 471.
Visiting of lunatic in confinement . . . . .	" s. 472.
Discharge of lunatic from custody; delivery to care of relative . . . . .	" ss. 473, 475.
Removal of lunatic from one place of confinement to another . . . . . }	" ss. 471(3), 474.
Power of Local Government to relieve Inspector-General of } Prisons of his functions under ss. 472 to 474. . . . . }	" s. 471(4).

CRIMINAL PROCEDURE (INDIAN)—*contd.*11. Special Proceedings—*contd.*(3) PROCEEDINGS IN CASE OF CERTAIN OFFENCES AFFECTING  
THE ADMINISTRATION OF JUSTICE

Contempts, offences against public justice, and offences relating  
to documents given in evidence :

Procedure of Civil, Criminal and Revenue Courts in case of . . . . .	Act 5, 1893, ss. 476 to 482, Sch. V, Form 38.
When Registrar or Sub-Registrar of Documents deemed a Civil Court under ss. 480, 482 . . . . .	" s. 483.
Certain Judges and Magistrates not to try offences committed before themselves . . . . .	" s. 487.
Discharge of offender on submission or apology . . . . .	" s. 484.
Imprisonment or committal of person refusing to answer or pro- duce document in Criminal Court . . . . .	" s. 485, Sch. V, Form 39.
Appeal from conviction . . . . .	" s. 486.

## (4) MAINTENANCE OF WIVES AND CHILDREN.

Power to make and enforce order for . . . . .	" ss. 488, 490, Sch. V, Forms 40, 41.
" alter allowance . . . . .	" s. 489.
Liability under order not discharged by insolvency . . . . .	Act 3, 1909, s. 45(1)(d).

## (5) DIRECTIONS IN THE NATURE OF A HABEAS CORPUS.

See HABEAS CORPUS.

## (6) PROCEEDINGS FOR THE SPEEDY TRIAL OF CERTAIN OFFENCES.

Offences triable under Part I, Act 14, 1908 . . . . .	Act 14, 1908, s. 2, Sch.
Power to order trial under Part I of Act . . . . .	" s. 2.
Inquiry by Magistrate : discharge by Magistrate, framing of charge and committal to High Court . . . . .	" ss. 3 to 7.
Charge, record, etc., to be forwarded to High Court . . . . .	" s. 8.
Examination of supplementary witnesses : list of witnesses for defence . . . . .	" ss. 9, 10.
Trial before High Court to be before special bench and without a jury ; decision to be in accordance with opinion of majority . . . . .	" s. 11.
Procedure : application of Act 5, 1893 . . . . .	" s. 14.
Special rules of evidence . . . . .	" s. 13.
Bail when not allowed . . . . .	" s. 12.

## 12. Supplementary Provisions.

## (1) PUBLIC PROSECUTOR.

Power to appoint . . . . .	Act 5, 1893, s. 492.
Trials before Court of Session to be conducted by . . . . .	" s. 270.
Right of, to plead ; pleaders privately instructed to be under his direction . . . . .	" s. 493.
Effect of withdrawal of, from prosecution . . . . .	" s. 494.
Power of Magistrate to permit other person to conduct prosecu- tion . . . . .	" s. 495.
Right of Advocate General, Standing Counsel, Government Soli- citor, Public Prosecutor, etc., to conduct prosecution without Magistrate's permission . . . . .	" s. 495.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

12. Supplementary Provisions—*contd.*

(2) BAILS AND BONDS.

Bail when to be taken . . . . .	{	• Act 5, 188, ss. 496, 497, 500, Sch. V, Form 42.
„ amount of, not to be excessive . . . . .	„	s. 498.
„ power of High Court or Court of Session to direct admission to bail or reduction of bail . . . . .	}	„ s. 498.
„ bond of accused and sureties, discharge from custody . . . . .	{	„ ss. 499, 500, Sch. V, Forms 42, 43.
„ power to increase amount . . . . .	„	s. 501.
„ discharge of sureties . . . . .	„	s. 502.
Power to accept deposit instead of recognizance . . . . .	„	s. 513.
Procedure on forfeiture of bond . . . . .	{	„ s. 514, Sch. V, Forms 44 to 53.
Section 514 of Code applied to cases under s. 5 of Reg. 9, 1887 (Frontier Crossing and Disturbed Districts) . . . . .	}	Reg. 9, 1887, s. 3.
Appeal from, and revision of, orders under s. 514 . . . . .		Act 5, 1898, s. 515.
Power of High Court or Court of Session to direct levy of amount due on bond to appear before it . . . . .	}	„ s. 516.
Bail in Bombay City . . . . .	{	Bom. Act 4, 1902, ss. 106 to 110.

(3) DISPOSAL OF PROPERTY.

Power to make order for disposal of property the subject of an offence . . . . .	}	Act 5, 1898, ss. 517, 518.
Payment to innocent purchaser of money found on accused . . . . .	„	s. 519.
Stay and revision of order under ss. 517 to 519 . . . . .	„	s. 520.
Destruction of libellous and other matter . . . . .	„	s. 521.
Power to restore possession of immoveable property . . . . .	„	s. 522.
Restoration of seized or stolen property to owner; sale, when owner unknown . . . . .	}	„ ss. 523 to 525.

(4) TRANSFER OF CASES.

Power of High Court to transfer case, or itself try it; postpone- ment of trial by inferior Court to admit of application for transfer being made . . . . .	}	„ s. 526.
„ Governor General in Council to transfer cases . . . . .	„	s. 527.
„ Chief Presidency Magistrate, District or Sub-Divisional Magistrate to withdraw or refer cases . . . . .	}	„ s. 528.
„ certain Magistrates to transfer cases . . . . .	}	„ ss. 192, 407 451(9), 476.
Sessions Judge when to transfer case against European British subject to High Court . . . . .	}	„ s. 449(2).

(5) IRREGULAR PROCEEDINGS.

Irregularities which do not invalidate proceedings . . . . .	„	s. 529.
„ which vitiate proceedings . . . . .	„	s. 530.
When holding of trial, etc., in wrong place invalidates the pro- ceedings . . . . .	}	„ s. 531.
Validation of irregular commitments . . . . .	„	s. 532.

CRIMINAL PROCEDURE (INDIAN, —*contd.*12. Supplementary Provision—*contd.*(5) IRREGULAR PROCEEDINGS—*contd.*

Statements and confessions of accused persons; irregularity in record of, under s. 164 or s. 364 . . . . .	Act5,1898,s. 533.
Omission to ask whether accused is an European British subject . . . . .	" s.534.
" to prepare charge . . . . .	" s.535.
Trial by jury of offence triable by assessors, and <i>vice versa</i> . . . . .	" s.536.
Finding, sentence or order when reversible by reason of error or omission in charge or other proceedings . . . . .	" s.537.
Distress not illegal nor distrainer a trespasser for defect or want of form in proceedings . . . . .	" s.538.

## (6) MISCELLANEOUS.

Power to appoint place of imprisonment or custody . . . . .	" s.541(1).
Removal from civil to criminal jail, and return to civil jail . . . . .	" s.541(2),(3).
Payment of expenses of complainants and witnesses . . . . .	" s.544.
Compensation to persons groundlessly given in charge in Presidency-town . . . . .	" s.553.
" for frivolous or vexatious accusation; appeal from order . . . . .	" s.250.
Payment of expenses or compensation out of fine . . . . .	" ss.545,546. (U.B.)Reg.12,1887, s.9(5).
Moneys ordered under Act to be paid recoverable as fines . . . . .	Act5,1898,ss.547,553, 250.
Copies of proceedings to be furnished on application . . . . .	" s.548.
Delivery to military authorities of persons liable to be tried by court-martial . . . . .	" s.549.
Powers of police to seize property suspected to be stolen . . . . .	" ss.550,551.
Power to compel restoration of abducted female . . . . .	" s.552.
Power of Chartered High Courts to make rules as to subordinate Courts . . . . .	" s.554.
Power of other High Courts to make rules . . . . .	" s.555,Sch.V.
Forms . . . . .	" s.556,Act2,1902, s.44.
Restriction on trial by Judge or Magistrate of case in which he is personally interested . . . . .	" s.557.
Practising pleader, etc., not to sit as Magistrate in certain Courts . . . . .	" s.558.
Power to decide language of Courts . . . . .	" s.559.
Powers of Government exercisable from time to time . . . . .	" s.560.
Officers concerned in sales not to purchase or bid for property . . . . .	" ss.562to564.
Provisions as to first offenders . . . . .	" s.565.
Power of certain Courts to make order for the notifying of his address by convicted offender . . . . .	" s.565.

## 13. Special and Local.

Act 5, 1898 (the Code of Criminal Procedure, 1898), declared in force—

in Upper Burma, except the Shan States (with modifications) . . . . .	Act13,1898,s.4,Sch.I, Reg.5,1892.
in the Santhal Parganas (with modifications) . . . . .	Reg.3,1872,s.3,Sch. Reg.5,1893,s.4.

CRIMINAL PROCEDURE (INDIAN)—*contd.*13. Special and Local—*contd.*

Regulation 5, 1892 (Criminal Justice, Upper Burma), declared (except ss. 1, 2, 6, 7, 9, 10, 16 and 17 of the schedule) to be in force in—	
Kachin Hill-tracts, as regards hill-tribes . . . . .	Reg.1,1895,s.3.
certain tracts in the Chin Hills . . . . .	Reg.5,1896,s.3.
Regulation 5, 1895 (Criminal Justice, Upper Burma), declared in force in certain tracts in the Chin Hills . . . . .	„ s.3.
Act 5, 1893, repealed in Sindh Frontier, so far as Regulation 5, 1872, is inconsistent with the Act . . . . .	Reg.5,1872,s.11(saved, Act5,1898,s.3).
modified generally in—	
Andamans . . . . .	Reg.3,1876,s.13.
North-West Frontier, Punjab and British Baluchistan frontier districts . . . . .	[ <sup>1</sup> ] Reg 3,1901.
Ajmere :	
Chief Commissioner to discharge functions of High Court, except in proceedings against European British subjects . . . . .	Reg.1,1877,s.38.
Power to appoint one Magistrate for several districts . . . . .	„ s.39.
Power of Commissioner to transfer criminal cases or appeals . . . . .	„ s.41.
Bombay City :	
Special provisions as to information to and investigation by police ; arrest, summons, warrant, search-warrant, bail . . . . .	Bom.Act4,1902,ss.57to 110.
British Baluchistan :	
Modifications of the Code . . . . .	[ <sup>2</sup> ]Reg.8,1893, s. 3.
Central Provinces :	
Court of Judicial Commissioner to be highest Court of Criminal Appeal and revision, except in proceedings against European British subjects . . . . .	Act2,1904,s.3(sub.Act 11,1910,s.2).
Lower Burma :	
Chief Court to be highest Court of Criminal Appeal or Revision . . . . .	Act6,1900,s.8.
Certain Magistrates to commit to Chief Court . . . . .	„ s.13.
Appeals from certain Magistrates to lie to Chief Court . . . . .	Act6,1900,s.13(z).
Upper Burma :	
. . . . .	Act6,1900,s.8(1)(a).
Judicial Commissioner to be " High Court " in other cases . . . . .	Act13,1898,s.4,Sch.1. Reg.5,1892,s.2(1), Sch.
Modifications of Act 5, 1898, in . . . . .	Act13,1898,s.4,Sch.1. Reg.5,1892.
„ not to affect the Code in its application to European British subjects . . . . .	Reg 5,1892,Sch cl XVII.
Coorg :	
Judicial Commissioner to have powers of High Court, except in proceedings against European British subjects . . . . .	Reg.1,1901,s.16.
North-Western Frontier Province :	
Judicial Commissioner to be highest Court of Criminal Appeal or Revision except in proceedings against European British subjects, etc. . . . .	Reg.7,1901,s.42.

[<sup>1</sup>] Reg. 3, 1901, has been extended with modifications to British Baluchistan by notification under Act 14, 1874.[<sup>2</sup>] See Notification, Gazette of India, Part II, p. 721.

CRIMINAL PROCEDURE (INDIAN)—*contd.*13. Special and Local—*contd.*North-Western Frontier Province—*contd.*

References to High Court or Chief Court of the Punjab in enactments in force is to be construed to refer to Judicial Commissioner except in proceedings against European British subjects or . . . . .

Reg.7,1901,s.6(1)(c).

*For local laus see also* ADEN, 2; AJMERE, 3; ANGUL, 4; BURMA, (3); CHIEF COURT, LOWER BURMA; CHIEF COURT, PUNJAB; CHIN HILLS, 3, 4; CHITTAONG HILL TRACTS; CHOTA NAOPUR; DISTURBED DISTRICT; EASTERN DVARS; FRONTIER; GANJAM AND VIZAGAPATAM; KACHIN HILLS; NORTH-WEST FRONTIER PROVINCE, 4, OUDH, 3; PUNJAB, 4; SANTHAL PARGANAS; SCHEDULED DISTRICTS; SINDH; SPITI, UPPER TANAWAL.

*For special laus, see* EXCISE, FISHERY; FOREST, 7; INDIAN, MILITARY AND NAVAL FORCES, III, 3, MURDEROUS OUTRAGES (2); POLICE, III, B; PRECIOUS STONES; ROYAL INDIAN MARINE, 3; and other heads.

CRIMINAL TRESPASS. *See* CRIMINAL LAW (INDIAN), 15

## CRIMINAL TRIBES.

## 1. Preliminary.

Act 3, 1911, extends to whole of British India . . . . .  
Action in Sindh validated . . . . .  
Definition of "criminal tribe" "tribe," "gang" and "class" "

Act3,1911,s.1.  
Bom.Act1,1909.  
Act3,1911,s.2.

## 2. Criminal Tribes.

Power of Local Government to declare tribe, gang or class to be }  
a criminal tribe . . . . . }  
Courts not to question such declaration . . . . . }  
Registration of members of . . . . . }  
Power to restrict movements of or settle criminal tribe to or in }  
place prescribed; Courts not to question certain notifications }  
under ss. 12, 13 . . . . . }  
Settlements; power to place tribe in . . . . . }  
Industrial, agricultural or reformatory schools for children; }  
establishment of, and placing of children in . . . . . }  
Power to discharge or remove person from settlement or school . }  
Power to direct use of any settlement or school in British India . }  
Power of Local Government to make rules for working of Act . }  
Penalties . . . . . }  
Enhanced punishment for certain offences by members of tribe }  
after previous conviction . . . . . }  
Punishment of registered members of tribe found under suspicious }  
circumstances . . . . . }  
Arrest and removal of registered persons found beyond prescribed }  
limits of residence . . . . . }  
Duty of village-headmen, village-watchmen, and owners and oc- }  
cupiers of land and their agents to make reports of certain mat- }  
ters, under penalty . . . . . }

" s.3.  
" s.28.  
" ss.4to10.  
" ss.11to  
15,28,  
" s.16.  
" s.17.  
" s.18.  
" s.19.  
" ss.20,21.  
" s.22.  
" s.23,Sch.  
" s.24.  
" s.25.  
" ss.26,27.

**CROWN.**

1700-1. 12-3 W. 3, c. 2 (Succession ; Limit- ation of Powers).	1901. 1 Edw. 7, c. 15 (Royal Titles).
1876 39-40 V. c. 10 (Style).	1910. 10 Edw. 7 & 1 Geo. 5, c. 26. (Regency).
1896. 59-60 V. c. 2, preamble (Army).	1910. 10 Edw. 7 & 1 Geo. 5, c. 29 (Corona- tion Declaration).

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|--|------------|
| 1. Succession                                  | 3. Demise, |
| 2 Style, Prerogatives, Powers and<br>Property. |            |

**1 Succession.**

Limitation of succession to Crown	
Sovereign's children inheritable, wherever born	} 12-3W.3,c.2.
Roman Catholics, and persons marrying Roman Catholics, dis- qualified	
Coronation . oath and declaration to be taken and made on	} 12-3W.3,c.2,s.2. 10Edw.7&1Geo.5,c.29.
Provision for regency in case of Crown descending to any issue of His Majesty while such issue shall be under the age of eighteen years	

**2. Style, Prerogatives, Powers and Property,**

**(a) STYLE AND TITLE.**

Power to add to, in recognition of transfer of Government of India	39-40V.c.10.
Royal titles	1Edw.7,c.15.

**(b) LIMITATION OF POWERS.**

Declaration of limits of power of Crown	} 12-3W.3,c.2.
Justice not to be sold, denied, delayed or deferred	
Loans to Crown ; illegality of, without consent of Parliament	} 59-60V.c.2,preamble.
Benevolence : none to be levied without consent of Parliament	
Standing army ; illegality of, in realm, during peace, without con- sent of Parliament	

**(c) PROPERTY.**

*See CROWN LANDS.*

**3, Demise.**

Continuance of offices on	1Edw.7,c.5.
CROWN GRANTS ACT, 1895 ( <i>See CROWN LANDS, ETC. ;</i> TRANSFER OF PROPERTY)	Act15,1895.

**CROWN LANDS AND LAND-REVENUES.**

Grants by Crown of land or interest therein to take effect accord- ing to their tenor, notwithstanding other laws	} Act15,1895.
Restriction to application of Act 15, 1895, to sanad to Oudh Talqdars	

**CRUELTY TO ANIMALS.**

**1. Generally.**

Act 11, 1890, declared in force in—	
Santhal Parganas	Reg 3,1872,s.3,Sl.1.
Upper Burma except Shan States.	Act13,1893,s.4,Sl.1.
Act 11, 1890, applies only to notified areas	Act11,1890,s.1(2).



CRUELTY TO ANIMALS—*contd.*1. Generally—*contd.*

Power, when extending Act 11, 1890, to local area, to declare that other enactments relating to cruelty to animals shall cease to be in force therein	Act 11, 1890, s 1(3).
Definition of "animal" and "street"	" s.2.
Penalty for various acts of cruelty in street or in place to which public have access, etc.	" s.3.
" " practising <i>phula</i>	" s.4.
" " killing animal with unnecessary cruelty	" s.5.
" " employing animal unfit for labour	" s.6(1).
" " permitting diseased animal to go at large or disabled animal to die in street	" s.7.
<b>Infirmity for animals—</b>	
Appointment of	Act 11, 1890, s.6(2).
Sending of animals to, at expense of owner	" s.6(3) to (6).
Powers of search	" s.8.
Limitation of prosecutions	" ss. 9, 12.
Power to destroy suffering animals	" ss. 10, 12.
Act not to affect killing in accordance with religious rites and usages	" ss. 11, 12.
<b>Penalty for cruelty—</b>	
under General Police Act	Act 5, 1861, s 34(2).
under Stage Carriages Act	Act 16, 1861, s.9.
Penalty for mischief by killing, maiming, etc., animal	Act 45, 1860, ss. 428, 429.
Power to make rules for prevention of cruelty in cantonments	Act 15, 1910, s.24(2f).
Setting animals to fight. See GAMING, 3.	

## 2 Bengal (except Sambalpur District) and Eastern Bengal and Assam.

Ben. Acts 1 and 3, 1869, extend to town and suburbs of Calcutta	{ Ben Act 1, 1869, s.9. Ben Act 3, 1869, s.2.
Ben. Acts 1 and 3, 1869, may be extended by notification to any city, etc.	{ Ben. Act 1, 1869, s.10. Ben Act 3, 1869, s.3.
Definition of "animal"	Ben. Act 1, 1869, s.1.
Penalty for various acts of cruelty	" s.2.
" inciting animal to fight, etc.	" s.3.
" permitting diseased animal to go at large or die in public place	{ " s.4.
" employing animal unfit for labour	" s.5.
" practising <i>phula</i>	{ (Ben. F. B.) Ben. Act 1, 1869, s.5A.
<b>Infirmity for animals:</b>	
Appointment of	" " s.5B(1).
Sending of animals to, at expense of owner	" " s.5B(2) to (5).
Limitation of prosecutions	" " s.5C.
Power of police to arrest without warrant for offence against Ben Act 1, 1869	{ Ben. Act 3, 1869, s.1.
Summary trial of offences by Presidency Magistrate	" s.6.
Application of Code of Criminal Procedure to trials	" s.7.
Setting animals to fight (E.B.) See GAMING, 3.	

CRUELTY TO ANIMALS—*concl'd.*

3. Madras City.

Penalty for cruelty . . . . .	Mad. Act 3, 1888, s. 53
Infirmary for animals :	
Establishment of, and nomination of staff . . . . .	" s. 54
Sending of animals to, at expense of owner . . . . .	" s. 55.
Discharge of animals and recovery of expenses and costs of } enquiries . . . . .	" ss. 56 to 59
Power to destroy suffering animals . . . . .	" s. 55

4 Other places .

Penalty for cruelty . . . . .	{ Bom. Act 1, 1890, s. 62 (Bom. villages) Bom. Act 8, 1897, s. 1C(1) (Howrah) Act 21, 1857, s. 23(v). (Certain Mad. Towns) Mad. Act 3, 1889, ss. 5, 8.
Power of police to arrest offenders . . . . .	{ (Bom. City) Bom. Act 4, 1902, s. 33(i).

CULPABLE HOMICIDE *define*. See WORDS AND PHRASES

CULTIVATION. See FOREST, & ; INDIGO ; OPIUM ; SHIFTING  
CULTIVATION

CURATORS.

In case of succession See ADMINISTRATION (INDIAN LAW), 4.

CURRENCY NOTES. [See CRIMINAL LAW (Ind.) 18 ; PAPER  
CURRENCY.]

CURRENCY NOTES FORGERY ACT, 1899 . . . . . Act 12, 1899.

CURRENCY CONVERSION (ARMY) ACT, 1899 (*See ARMY*) Act 19, 1899.

CUSTOMS CONSOLIDATION ACT, 1853 (*See COASTING  
TRADE ; GOVERNMENT OF INDIA ; MERCHANT SHIPPING*) } 1 & 17 v. c. 107.

CUSTOMS CONSOLIDATION ACT, 1876 [*See COPYRIGHT ;  
CUSTOMS (ENGLISH LAW) ; MERCHANDISE MARKS*] . . . . . 39 & 40 v. c. 36.

CUSTOMS (ENGLISH LAW).

Operation of Customs Acts in British possessions abroad . . . { 39 & 40 v. c. 36, ss. 151,  
161.

Governors, Lieutenant-Governors, etc., of British possessions to }  
exercise powers of Commissioners of Customs . . . . . " s. 149.

Customs-officers ; collusive seizure, bribery, etc., by . . . . . " s. 217.

CUSTOMS. See *also* SALT ; TEA CESS.

Duty may be taken *pro rata*. See ACTS AND REGULATIONS OF  
INDIAN LEGISLATURES.

Duties to be collected by Collector . . . . . Mad Reg 2, 1803, ss. 2, 32.

Power to impose duty on opium imported by land or exported by }  
land or sea . . . . . Act 1, 1878, ss. 5, 6

Effect of alteration of tariff on contract . . . . . { Act 8, 1894, s. 10.  
Act 2, 1895, s. 33.

Additional import-duty on bounty-fed articles . . . . . Acts, 1894, s. 8A.

Special import-duty on sugar in certain cases . . . . . " s. 8B.

Prohibition and restrictions on importation or exportation by  
land or sea :

  Certain goods not to be imported . . . . . { Act 8, 1878, ss. 18,  
167(8).

CUSTOMS—*contd.*

Prohibition and restrictions on importation or exportation by land or sea—*contd.*

Power to prohibit or restrict importation or exportation of specified articles . . . . .	}	Act8,1878,ss.19,167(8),
Detention and confiscation of goods whose importation is prohibited . . . . .		
Search for and interception of prohibited goods in post office . . . . .		Act6,1898,s.25.
Detention and disposal of packages suspected to contain newspapers, etc., containing offending matter . . . . .	}	Act1,1910,s.13.
Power to regulate, restrict or prohibit importation of infected animals, etc. . . . .		
Application of customs law for punishment of offences and reward of informers to punishments and rewards in connection with town duties imposed by the City of Bombay Municipal Act, 1888 . . . . .	}	Bom.Act3,1888,s.478.
Recovery by Post Office, from addressers, of customs-dues paid by it . . . . .		
Prohibition of levy of, by private individuals. <i>See TAXES.</i>		Act6,1898,s.13.

## CUSTOMS (INLAND).

General Sea Customs Tariff applied to—

imports and exports of goods from and to foreign territory . . . . .		Act8,1894,s.5.
imports of cotton goods from foreign territory . . . . .		Act2,1896,s.37.
Duty on spirituous or fermented liquor imported, exported or transported . . . . .	}	Bom.Act5,1878,ss.19,26 Mad.Act1,1886,ss.17,18.
Duty on imports of spirituous or fermented liquor manufactured in foreign India or brought by land from beyond India . . . . .		
Duty on imports of spirituous or fermented liquor manufactured in foreign India or in a part of British India in which no excise-duty levied . . . . .	}	Ben.Act5,1900,s.27. E.B.A.Act1,1910,s.21. U.P.Act4,1910,s.28.
Duty on intoxicating drugs (other than opium) imported, exported or transported . . . . .		
Duty on exported Indian tea . . . . .		Act12,1896,ss.13,19. Bom.Act5,1878,s.27. Mad.Act1,1886,ss.17,18.
Duty on timber or other forest-produce. <i>See FOREST, 5.</i>		Act9,1903,s.3.
Establishment of stations on British frontier for searching for arms, ammunition and military stores . . . . .	}	Act11,1878,s.11.
Power to prohibit or restrict importation of cotton goods from foreign territory; detention and confiscation of goods whose importation is prohibited . . . . .		
Drawback on export of cotton goods . . . . .		Act2,1896,s.37. Act2,1896,s.38.
<i>See also CUSTOMS; SALT.</i>		
Madras and Bombay Presidencies :		
Act 6, 1844, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .	}	Act15,1874,s.4.
Appointment of Customs-stations for levy of duties on imports from and exports to foreign territories . . . . .		
Customs-officers . . . . .	}	Act6,1844,s.8. Act29,1857,s.4.
routes . . . . .		
Collection of duty; ascertainment of value; seizure; confiscation . . . . .	}	Act6,1844,ss.8to13. Act29,1857,ss.6to12,14,15.

CUSTOMS (INLAND)—*contd.*Madras and Bombay Presidencies—*contd.*

Exemptions from duty . . . . .	(Bom.) Act 29, 1857, s. 13.
Offences and penalties . . . . .	Act 6, 1844, ss. 14, 15. Act 29, 1857, ss. 16 to 19.
Adjudication of confiscations; restoration of goods confiscated or seized; damages for vexatious seizures; fine in lieu of confiscation; rewards to Customs-officers . . . . .	(Bom.) Act 29, 1857, ss. 20 to 22.
Acts 6, 1844, and 29, 1857, applied to collection of duties imposed by Indian Tariff Act, 1894, s. 5 (b) . . . . .	Act 8, 1894, s. 8.

## CUSTOMS (SEA).

1864 Ben. Act 7, s. 15 (Salt).	1888. Bom. Act 5, ss 35, 36, 50 (Aden Port Trust).
1878. Act 8 (Sea Customs).	1890. Act 12, s. 9 (Excise).
„ Act 11, ss. 7, 10 (Arms, Ammunition and Military Stores).	„ Ben Act 3, ss 87, 88, 122, 122A, 122C (Calcutta Port).
1879 Act 9, s. 11 (Coast Lights).	1894. Act 8 (Tariff).
„ Bom Act 6, ss 67, 70 (Bombay Port Trust).	1895. Act 14, s. 31 (Native Pilgrimages)
1882. Bombay Act 7, s (Landing and Wharfage Fees).	1896 Act 2 (Cotton Duties).
1880. Bom. Act 6, ss 33, 39, 33 (Karachi Port Trust).	„ Act 8 (Bonded Warehouses).
1887. Act 10, s. 29 (Native Passenger Ships).	1904. Act 9, s. 8 (Coast Lights).
„ Ben Act 4, ss 25, 29, 41 (Chittagong Port Commissioners).	1905. Bur. Act 4, ss 76, 77, 91 (Rangoon Port).
1888. Act 2 (Petroleum)	„ Mad. Act 2, ss 61, 109 (Madras Port).
	1908. Act 15, ss 2, 43 (Ports).
	1909. Ben. Act 5, s. 6 (Excise).
	1910 E. B. A. Act 1, s 7 (Excise)
	„ U. P. Act 4, s. 8 (Excise).
	2 Management.

## 1. Tariff.

## 1. Tariff

## Duties on articles imported and exported :

General tariff at British Indian ports except Aden and Perim	Act 8, 1878, s. 20. Act 8, 1894, s 3, Schs. II to V (Sch. III sub. and Sch. IV am. Act 8, 1910).
Duty on pepper exported from Cochin; net duty to be paid to Governments of Travancore and Cochin . . . . .	Act 8, 1894, s 4.
Coasting-trade; duty leviable on—	
salt and opium imported . . . . .	Act 8, 1878, s. 20(b). Act 8, 1894 ss. 2(f), 7.
spirit imported . . . . .	Act 8, 1894, ss. 2(f), 7.
salted fish imported . . . . .	Act 8, 1878, s. 20(b) [qu. rep. Act 8, 1894, s. 2(f)].
goods brought in bond . . . . .	Act 8, 1878, s. 20(a).
Power to fix and alter tariff values . . . . .	„ s. 22.
Alteration of duty or tariff valuation when to have effect . . . . .	„ ss. 37, 38. Act 2, 1883, s. 2

See also CUSTOMS.

## 2. Management.

## (a) DUTIES, DRAWBACKS, ACCOUNTS AND EXPENSES.

Duty how levied on goods partially composed of dutiable articles	Act 8, 1878, s. 21.
„ leviable on re-imported articles of country produce . . . . .	„ s. 25.

CUSTOMS (SEA)—*contd.*2. Management—*contd.*(a) DUTIES, DRAWBACKS, ACCOUNTS AND EXPENSES—*contd.*

Duty leviable on goods derelict, jetsam, flotsam or wreck . . . . .	Act 8, 1878, s. 27.
Ascertainment of value of goods . . . . .	" ss. 29 to 31.
Under-valuation of goods by owner . . . . .	" s. 32.
Abatement of duty on damaged goods . . . . .	" ss. 33 to 35.
Alteration of bill of entry or shipping bill . . . . .	" s. 36.
Payment of duties or charges short levied, or erroneously refunded . . . . .	" s. 39.
Refund of duties or charges erroneously paid . . . . .	" s. 40.
Weightment or measurement before levy of duty . . . . .	" s. 80.
Duties when to be assessed . . . . .	" s. 87.
" when payable . . . . .	" ss. 89, 100, 110, 118, 119, 137.
" sale of goods for . . . . .	" ss. 88, 119, 193.
" bond for . . . . .	" s. 92.
" transhipment without payment of . . . . .	" ss. 123 to 135, 141.
" refund of export-duty on re-landing . . . . .	" ss. 140 to 142.
" cargo landed during repairs may be re-shipped free of . . . . .	" s. 143.
<i>See also below, (c) (Warehousing?)</i>	
" exemptions from—	
general and special powers of exemption . . . . .	" s. 23.
goods belonging to Government . . . . .	" s. 20.
baggage in actual use . . . . .	" s. 24.
certain re-imported articles of country produce . . . . .	" s. 25.
provisions and stores for use on foreign-going ship . . . . .	" ss. 28, 112.
Drawback when and to what extent allowed—	
on re exports generally . . . . .	" ss. 42, 43, 49 to 52, 167 (10), (12).
on wines, spirits and provisions shipped for officers of Navy, Indian Marine or Indian Marine Survey . . . . .	" ss. 44 to 48, 167 (11).
drawback of excise-duty paid on country spirit . . . . .	" ss. 150, 153.
" " " fermented liquor . . . . .	Act 13, 1890, s. 9.
Refund of drawback on re-landing of goods . . . . .	Act 8, 1878, s. 142.
Running account of duties and charges . . . . .	" s. 41.
Expenses incidental to compliance with Customs law to be borne by owner of goods . . . . .	" s. 196.

## (b) OFFICERS.

Appointment, suspension and dismissal of . . . . .	Act 8, 1878, ss. 6, 7.
District Officer to perform duties of, where no Custom-house . . . . .	" s. 8.
Power to make rules as to duties of . . . . .	" s. 9.
Exemption of, from service on jury or inquest or as assessor . . . . .	" s. 10.
Powers, duties and privileges of, in connection with boarding and remaining on ships . . . . .	" ss. 67 to 70, 167 (21) to (27).

## (c) IMPORTATION AND EXPORTATION.

Appointment of ports, wharves, Custom-houses and boarding and landing stations . . . . .	Act 8, 1878, ss. 11 to 13, 17, 167 (2), (3), (4) to (7).
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CUSTOMS (SEA)—*contd.*2. Management—*contd.*(c) IMPORTATION AND EXPORTATION—*contd.*

## Shipping and landing of goods :

Custom-officers to board and remain on ship; their powers, duties and privileges	{	Act 8, 1878, ss 67 to 70, 74, 167(24) to (25), s 71.
Charge for Customs-officer on board	.	" s 71.
Restriction as to time and place of	{	" ss 71 to 74, 77, 167(28), (31).
Baggage and mails	.	" ss 75, 167(28).
Boat-note	.	" ss 76, 167(29), (30).
Transhipment from one boat to another	.	" ss 78, 167(31).
Registration and licensing of cargo-boats	.	" ss 79, 167(32).
Weighing and measuring	.	" s 80.

Setting apart of Port Commissioners' or Port Trustees' wharves, etc., for use under Sea Customs Act, 1878, and payment of tolls, rates, etc., to those Authorities for use of such wharves, etc.,

Aden Port Trustees	Bom. Act 5, 1888, ss 35, 36.
Bombay Port Trustees	Bom. Act 6, 1879, s 70.
Calcutta Port Commissioners	Ben Act 3, 1890, ss 87, 88.
Chittagong Port Commissioners	Ben. Act 4, 1887, ss 28, 29.
Karachi Port Trustees	Bom. Act 6, 1886, ss 38, 39.
Rangoon Port Commissioners	Bur. Act 4, 1905, ss 76, 77.

Wharfage fees; amount and time for payment of . . . . . Act 8, 1878, s 109.  
Prohibitions and restrictions. See CUSTOMS.

## Importation :

Appointment of warehousing ports	.	Act 8, 1878, s 14.
" and licensing of warehouses	{	Act 8, 1878, ss 15, 16, Act 8, 1896, s 4.
Licensing of Calcutta Port Commissioners' warehouses under Act 8, 1878, s 16	}	Ben. Act 3, 1890, s 122A.
Delivery of manifest, bill of lading and port-clearance; contents of manifest	{	Act 8, 1878, ss 53 to 58, 60, 167 (13) to (20), (33), (35).
Special pass for breaking bulk	.	" ss 59, 167 (21).
Discharge of cargo; landing and custody of goods	{	" ss 81 to 85, 167 (12), (35).
Entry for home consumption or warehousing.	{	" ss 86, 87, 167 (36) to (39).
Sale of goods for duty and charges	.	" s 88.
Clearance for home consumption	.	" s 89.
Spirit unfit for human consumption	{	ss 155, 167 (61).
Warehousing; entry of goods for	.	" ss 80, 87.
" procedure for	{	" ss 90, 91, 93 to 96, 167 (39), (41) to (42).
" signature by Calcutta Port Commissioners of warrants delivered under Act 8, 1878, s 96	}	Ben. Act 3, 1890, s 122A.
" bonds to be executed	{	Act 8, 1878, ss 92, 106, 107, 169, 114.

CUSTOMS (SEA)—*contd.*2. Management—*contd.*(c) IMPORTATION AND EXPORTATION—*contd.*Importation—*contd.*

Warehousing; bonds; forfeiture and discharge of; register of bonds . . . . .	Act 8, 1878, ss. 118 to 121.
" provisions as to goods in a warehouse . . . . .	" ss. 97 to 100, 102, 103, 167(41) to (47), (50) to (53).
" payment of rent and warehouse-dues . . . . .	" ss. 101, 111, 118.
" removal of goods from one warehouse to another . . . . .	" ss. 104 to 109, 167 (50), (52), (53).
" clearance of warehoused goods for home consumption, for shipment to foreign port, or for use as ship's stores . . . . .	" ss. 110 to 113, 120, 167(50), (52), (53).
" re-assessment of duty when goods damaged or when duty or tariff valuation altered . . . . .	" ss. 114, 115.
" allowance on wine, spirit, beer or salt for ullage or wastage, in adjusting duties . . . . .	" ss. 116, 117.
" remission of duties when goods lost or destroyed . . . . .	" ss. 100, 122, 206.
" compensation when claimable for loss of or damage to warehoused goods . . . . .	" ss. 123, 167(18), (19), 206.
" indemnity to Calcutta Port Commissioners for loss of or damage to petroleum . . . . .	Ben. Act 3, 1890, s. 122C.
" payment of duty and expenses how enforced . . . . .	Act 8, 1878, ss. 119, 126.
" responsibility of keeper or licensee of warehouse . . . . .	" ss. 123, 167(48), (49).
" regulation of public warehouses . . . . .	" ss. 124, 125, 167 (15), (50), (52), (53).
" sanction of Local Government required to depositing arms, etc., in licensed warehouse . . . . .	Act 11, 1878, s. 7.
" conveyance of salt, under time-bond for payment of duty, to warehouse appointed or licensed for the purpose, inspection of warehouses . . . . .	Act 8, 1890, ss. 5 to 7.
" ravana under Bengal Salt Act not required for salt warehoused under Sea Customs Act . . . . .	Ben. Act 7, 1864, s. 15.

## Exportation: .

Order for entry outwards, to be obtained . . . . .	Act 8, 1878, ss. 61, 136, 167 (53).
Delivery of manifest, shipping bills, etc.; contents of manifest; clearance for shipment . . . . .	" ss. 63, 137, 167(16), (37), (56).
Port-clearance; ship not to depart without . . . . .	" ss. 62, 167(21), (22).
" " to be produced to pilot . . . . .	" ss. 62, 167(23).
" " application for; refusal of; grant of . . . . .	" ss. 63 to 66, 167 (16), (17).
" " not to be granted— for native passenger ship until bond executed . . . . .	Act 10, 1887, s. 29.
for pilgrim ship until bond executed . . . . .	Act 14, 1895, s. 31.
until payment of— coast-light-dues . . . . .	Act 9, 1904, s. 8. Act 9, 1879, s. 11.

CUSTOMS (SEA)—*contd.*2. Management—*contd.*(c) IMPORTATION AND EXPORTATION—*concl'd.*Exportation—*contd.*Port-clearance not to be granted until payment of—*contd.*

port-dues, etc., due under Ports Act	}	Act 15, 1905, s. 43.
expenses of medical attendance, etc., of seamen, etc., due under Merchant Shipping Act, 1894, s. 207 . . . . .		
tolls, etc., due under Rangoon Port Act		Bur. Act 4, 1905, s. 91.
" " Calcutta Port Act . . . . .	}	Ben Act 3, 1890, s. 122
" " Bombay Port Trust Act . . . . .		Bom Act 6, 1879, s. 67.
" " Aden Port Trust Act . . . . .	}	Bom. Act 5, 1888, s. 50.
" " Karachi Port Trust Act . . . . .		Bom. Act 6, 1886, s. 53.
" " Chittagong Port Commissioners Act . . . . .	}	Ben Act 4, 1897, s. 41
rates and penalties due under Madras Port Trust Act, 1905 . . . . .		Mad. Act 2, 1905, s. 61.
Bond when required . . . . .		Act 8, 1878, s. 138, 144.
Special charge leviable on goods (other than treasure or opium) cleared after port-clearance granted . . . . .		" s. 139.
Unshipping or re-landing after clearance or during repairs . . . . .		" ss. 146 to 154, 167(57) to (59), (60).
Spirit liable to excise-duty. <i>See</i> EXCISE, 3 (d).		
Transhipment of goods without payment of duty :		
At what ports allowed without giving bond . . . . .		" s. 128.
Allowed in case of ship returning to port or putting into another port . . . . .	}	" ss. 141, 167(58).
" " provisions or stores transferred from one ship to another belonging to same owner . . . . .		" s. 132.
Special rules as to . . . . .	}	" ss. 129 to 131, 137 to 133, 167(57).
Power to prohibit . . . . .		" ss. 134, 167(57).
" regulate or prohibit transhipment of arms, ammunition or military stores . . . . .		Act 11, 1878, s. 10.

## (d) COASTING TRADE.

Power to appoint ports for coasting trade alone . . . . .		Act 8, 1878, s. 12.
" make rules to regulate . . . . .	}	" s. 157, 167(62), (70).
Coasting-ships :		
Certain provisions as to foreign-going ships not to apply to . . . . .	}	" ss. 156, 157(a), (b), 167(62).
Delivery of manifest, shipping bills, etc., and granting of port-clearance and order to break bulk, at first, intermediate or final port . . . . .		Act 8, 1878, ss. 158 to 160, 167(63), (64), (70).
Bond before granting port-clearance . . . . .		" s. 161, 167(62).



CUSTOMS (SEA)—*contd.*2. Management—*contd.*(7) COASTING TRADE—*contd.*Coasting-ships—*contd.*

Discharge of cargo from . . . . .	{	Act 8, 1878, ss. 162, 163, 167 (70).
Grant and revocation of general pass for steamship . . . . .	„	ss. 164, 167 (66).
Cargo book to be kept by master; when kept, manifest may be dispensed with . . . . .	{	„ ss. 165, 167 (67) to (70).
Power to board and examine . . . . .	„	ss. 166, 167 (71).

## (8) OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

Smuggling and other breaches of Customs law; penalties for . . . . .	„	s. 167.
Confiscation of goods, when allowed, packages, conveyances, animals, ship's tackle, etc., may also be confiscated . . . . .	{	„ ss. 167, 168.
Power to search person, to stop and search vessels and conveyances, and to issue search-warrant . . . . .	{	„ ss. 169 to 172, 167 (71).
„ arrest; bail to be taken . . . . .	„	ss. 173 to 176.
Procedure on arrest of member of crew of ship in Navy, Indian Marine or Indian Marine Survey . . . . .	{	„ s. 177.
Seizure, custody and disposal of things liable to confiscation . . . . .	{	„ ss. 178 to 180, 67 (77), 184.
Statement of reasons to be given when arrest or seizure made . . . . .	„	s. 181.
Adjudication of confiscations, increased rates of duty and penalties . . . . .	{	„ ss. 182, 183, 187.
Option to pay fine in lieu of confiscation . . . . .	„	s. 183.
Saving of liability to punishment under other law . . . . .	„	s. 186.
Appeal, deposit pending appeal, remission or commutation of penalty, etc., revision . . . . .	{	„ ss. 188 to 191, 202.
„ limitation of . . . . .	„	ss. 188, 202.
Detention of goods pending payment of fine, etc . . . . .	„	s. 192.
Enforcement of payment of penalty or duty . . . . .	„	s. 193.
Compensation for loss or damage when claimable . . . . .	„	ss. 197, 206.
Notice of, and limitation for, proceedings other than suit . . . . .	„	s. 198.

## (9) MISCELLANEOUS AND LOCAL

Agents; recognition of . . . . .	{	„ ss. 4, 5, 60, 202, 167 (80), 203.
Rules; general power to make . . . . .	„	s. 9.
„ publication and sale of . . . . .	„	s. 201.
Notifications; cancellation of . . . . .	„	s. 205.
Power to open packages, examine goods and take samples . . . . .	{	„ ss. 194, 195, 167 (79).
Documents; power to grant duplicates of, and to amend . . . . .	„	ss. 200, 201.
Saving of powers of Calcutta Port Commissioners, Bombay Port Trust and other similar authorities . . . . .	{	„ s. 207.
Sea Customs Act not affected by Bengal Excise Act . . . . .		Ben. Act 5, 1900, s. 6.
„ „ „ Eastern Bengal and Assam Excise Act . . . . .	{	• E.B.A.A. Act 1, 1910, s. 7.
„ „ „ United Provinces Excise Act . . . . .		U.P. Act 4, 1910, s. 8.
Sea Customs law, and rules and orders thereunder, not affected by Ports Act . . . . .	{	Act 15, 1903, s. 2 (iii).

CUSTOMS (SEA)—*concl.*2. Management—*concl.*(f) MISCELLANEOUS AND LOCAL—*contd.*

Madras Port Trust Act, 1905, not to affect powers of Chief Officer of Customs . . . . .	Mad. Act 2, 1905, s. 100.
Application of Sea Customs Act to levy of excise and inland customs-duties on cotton goods . . . . .	Act 2, 1896.
Saving of Chapter XIV of Sea Customs Act, 1878, as to excise duty on spirit . . . . .	Act 8, 1894, s. 7(3).
Application of Sea Customs law for punishment of offences and reward of informers to punishments and rewards in connection with landing and wharfage fees . . . . .	Bom. Act 7, 1882, s. 7.
CUSTOMS-OFFICER: definitions of . See WORDS AND PHRASES.	
CUTTACK LAND-REVENUE REGULATION, 1805 (See LAND-REVENUE, III; ORISSA; PENSIONS AND GOVERNMENT GRANTS; SUCCESSION) . . . . .	Ben. Reg. 12, 1805.
CUTTACK POLICE REGULATION, 1805 (See LANDHOLDER; MIDNAPUR, ORISSA; POLICE, III) . . . . .	Ben. Reg. 13, 1805.
CYCLES . See MOTOR CARS AND CYCLES	
DACOITY . See CRIMINAL LAW (INDIAN), 15	
DĀK. . See POST OFFICE.	
DANGEROUS TRADES. . See OFFENSIVE AND DANGEROUS TRADES.	
DARJEELING.	
Jurisdiction of High Court in . . . . .	Act 19, 1867, s. 2.
Control over coolies in . See MUNICIPALITY, VI, c (q).	
See also JALPAIGURI AND DARJEELING DISTRICTS.	
DARJEELING (HIGH COURT'S JURISDICTION) ACT, 1867 (See DARJEELING) . . . . .	Act 19, 1867.
DARJEELING MUNICIPAL ACT, 1900. . See MUNICIPALITY.	
DARJEELING STEAM TRAMWAY ACT (See TRAMWAYS, B) . . . . .	Ben. Act 6, 1879.
[1] DARJEELING AND KURSEONG MUNICIPAL (PORTERS) ACT, 1883. . See MUNICIPALITY.	
DEATH.	
Action for compensation for loss occasioned by death, due to actionable wrong . . . . .	Act 13, 1855.
See REGISTRATION OF BIRTHS, DEATHS, ETC.	
DEATH-DUTIES.	
Deduction, from State-duty payable under the Finance Act, 1894, of death-duty paid in British possession . . . . .	57-8V. c. 30, s. 20.
DEBT.	
Bom. Reg. 5, 1827, ss. 9, 14, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . .	Act 15, 1874, s. 5.
Written acknowledgment of, not conclusive as to amount, if defendant show that full consideration not received . . . . .	Bom. Reg. 5, 1827, s. 9(I).

DEBT—*contd.*

Proof when required in addition to written acknowledgment, where cultivator sued on writing executed out of British jurisdiction . . . . .	Bom Reg.5,1827,s.9(2).
Interest to cease after tender of payment . . . . .	" s.14.
Universal donee how far liable for debts of donor . . . . .	Act4,1882,s.128.
Restrictions on recovery of, from merchant seaman, during voyage . . . . .	37-SV.c.60,s.213. Act1,1859,s.74.
Restriction on arrest of seaman of navy, or marine, for . . . . .	29-30V.c.100,ss.97,98.
Liability for ancestral and other family debts. <i>See</i> HINDU.	
Official management of estates to secure payment of. <i>See</i> INCUMBERED ESTATES	
Collection of, on succession. <i>See</i> ADMINISTRATION (INDIAN LAW), 5.	
Abolition of imprisonment for. <i>See</i> IMPRISONMENT.	
<i>See also</i> ACTIONABLE CLAIM.	
DEBTORS (IRELAND) ACT, 1840 ( <i>See</i> EVIDENCE, I) . . . . .	3-4V.c.105.
DEBTS RECOVERY ACT, 1830 (11 G. 4, c. 47); s.11 extended to British India . . . . .	Act24,1841.
DECEASED WIFE'S SISTER.	
Marriage within British possession. <i>See</i> MARRIAGE I, (1) (b).	
DECENNIAL SETTLEMENT REGULATION (BENGAL), 1793 [1] ( <i>See</i> LAND-REVENUE, III, V.) . . . . .	Bom.Reg.8,1793.
DECK AND LOAD LINES ACT, 1891 [ <i>See</i> MERCHANT SHIPPING, 7 (a)] . . . . .	Act17,1891.
DECLARATORY DECREE. <i>See</i> SPECIFIC RELIEF.	
DEDICATIONS. <i>See</i> REGISTRATION OF BIRTHS, ETC., A, 4.	
DEFAMATION. <i>See</i> CRIMINAL LAW (INDIAN), 21.	
DEFINITIONS. <i>See</i> ACTS OF PARLIAMENT, 2; ACTS AND REGULATIONS, ETC., 2, WORDS AND PHRASES	
DEHRA DUN.	
Regulations and Acts in force in Saharanpur declared in force in . . . . .	Act21,1871,s.1.
High Court and Boards of Revenue to exercise powers in . . . . .	" s.2.
District Court of Saharanpur to be District Court for . . . . .	" s.3.
Act 21, 1871, not to apply to Jaunsar Bawar . . . . .	" s.4.
DEKKHAN, ETC.	

## 1. Ahmadnagar, Khandesh and Poona Districts.

Bombay Regulations formally declared in force in . . . . .	{ Bom Reg.29,1827,s.2,App. A.
Suits not to be brought in Civil Courts against certain persons of rank in . . . . .	" s.2
Agent to be appointed for trial of such suits . . . . .	" s.4(1).
Such Agent to have exclusive jurisdiction in suits against such persons connected with land . . . . .	{ Bom.Reg.1,1831,s.1(1). Bom.Reg.16,1831,s.2.
Local Government to give Agent list of such persons and instructions as to procedure to be followed in trials . . . . .	{ Bom Reg.29,1827,s.4(1).
Such list to comprise 3 classes of persons, and separate instructions to be given in the case of each class . . . . .	" s.4(2)

[1] This short title was given by Act 5, 1827, s. 4.

DEKKHAN, ETC.—*contd.*

1. Ahmadnagar, Khandesh and Poona Districts—*contd.*

General principles to be observed by Agent in trial of such suits . . . . .	Bom.Reg.20,1827,s.5.
Decrees against persons of the 1st class not to be executed without reference to Local Government . . . . .	" s.5(1).
Appeal by plaintiff to Local Government in suit against person of 1st class . . . . .	" s.5(1).
Appeal by either party to Local Government in suit against person of 2nd class, limitation . . . . .	" s.5(2).
Appeal by either party to High Court in suit against person of 3rd class; limitation . . . . .	" s.5(3).
Appeal by either party to Her Majesty in Council in suit against person of 1st, 2nd or 3rd class . . . . .	" s.5.
Power to appoint Assistant Judge of Poona to be Assistant to the said Agent; reference of suits to Assistant; appeals from decisions of Assistant, limitation of, and procedure in, such appeals . . . . .	" Act10,1835.

2. Dharwar District.

Formation of . . . . .	Bom.Reg.7,1830,s.1, App A.
Bombay Regulations formally declared in force in . . . . .	Bom.Reg.7,1830,s.2.
Suits against certain persons of rank in, not to be brought in Civil Courts, but to be tried by Political Agent under special procedure . . . . .	" s.5.
Such Agent to have exclusive jurisdiction in suits against such persons connected with land . . . . .	Bom.Reg.1,1831,s.1(1). Bom.Reg.16,1831.
Local Government to give Political Agent list of such persons . . . . .	Bom.Reg.7,1830,s.5.

3. Parganas of Edulabad and Warangaon.

Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in . . . . .	Bom Act14,1866,s.3.
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4. Satara District.

Rendered subject to Regulations and Acts in force in Presidency of Bombay . . . . .	Bom.Act3,1863,s.1, Sch.A.
Village of Muchandi excluded from operation of Regulations and Acts of the Presidency of Bombay . . . . .	" s.8.
Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in . . . . .	" s.4(1).

5. Sholapur and Southern Mahratta Country.

Certain villages in, rendered subject to Regulations and Acts in force in Bombay Presidency . . . . .	" s.2,Sch.B.
Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in such villages . . . . .	" s.4(1).

DEKKHAN AGRICULTURISTS' RELIEF ACT, 1879 ( <i>See</i> CHARGE; CIVIL COURT, VI, B; DEKKHAN AGRICULTURIST; EVIDENCE, II; INTEREST; LEGAL PRACTITIONER; LIEN; MORTGAGE) . . . . .	Act17,1879.
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DEKKHAN AGRICULTURISTS' RELIEF ACT, { (See DEKKHAN AGRICULTURIST)	{ 1881 1882 1886 1895	{ Act23,1881. Act22,1882. Act23,1886. Act6,1895.
DEKKHAN AGRICULTURISTS' RELIEF ACT, 1902		Bom.Act1,1902.
DEKKHAN AGRICULTURISTS' RELIEF (AMENDMENT) } ACT, 1907 . . . . . }		Bom.Act2,1907.
DEKKHAN AGRICULTURISTS' RELIEF.		

## 1. Preliminary.

Act 17, 1879, ss. 1, 11, 56, 60, 62, extend to whole of British India . . . . . }		
" " remaining sections extend to districts of Ahmadnagar, Poona, Satara and Sholapur, and may be extended by Government to other districts }		Act17,1879,s.1.
Definitions . . . . . }		" s.2(am. Bom Act1, 1910,s.2).

## 2. Litigation.

Jagirdars and other authorities empowered under Bom. Reg. 13, 1830, and Act 15, 1840, to be Subordinate Judges under Act 17, 1879 . . . . . }		" s.2A.
Hearing of certain suits by Subordinate Judges :		
Description of suits . . . . . }		" s.3.
Certain suits to be instituted in Courts of 1st class Sub-Judges . . . . . }		" s.1.
Sub-Judges not to be invested with Small Cause Court jurisdiction . . . . . }		" s.5.
Power to direct that suits which a Sub-Judge is precluded from hearing by s. 16 of the Provincial Small Cause Courts Act, 1887, shall be heard by him . . . . . }		" s.6.
Summons to be, when possible, for final disposal of suit . . . . . }		" s.7.
Court when to examine defendant as a witness . . . . . }		" s.7.
No appeal allowed . . . . . }		" s.9.
General provisions as to suits and other proceedings to which agriculturists are parties :		
Real nature of transaction to be inquired into and determined ; admissibility of oral evidence to contradict, vary, etc., terms of document . . . . . }		" s.10A(ins. Bom.Act2, 1907,s.2).
Certain suits for recovery of money to be instituted where defendant resides . . . . . }		" s.11.
In certain suits for recovery of money or on mortgages Court to examine both plaintiff and defendant as witnesses and enquire into history of transactions and take account ; powers in taking such account . . . . . }		" s.12. ss.13,13A.
Further special powers of Court in mortgage-suits . . . . . }		" s.15A, 15AA,15B, 15C,15D.
Suit for account . . . . . }		" s.15D, 16to18,20.
Power of Court to fix instalments in execution . . . . . }		" s.20.

DEKKHAN AGRICULTURISTS' RELIEF—*contd*2. Litigation—*contd*.General provisions as to suits and other proceedings to which agriculturists are parties—*contd*

Agriculturist not to be arrested or imprisoned in execution of decree for money . . . . . }	Act 17, 1879, s. 21.
Agriculturists' immoveable property not to be attached or sold unless specially pledged, but may be placed under management of Collector, power of Collector to set aside sale on ground of inadequacy of price . . . . . }	" ss. 22, 23A. (ins. Bom. Act 2, 1907, s. 3).
Village-munsifs power to appoint . . . . . }	" s. 31.
" " suits triable by, exclusion of jurisdiction of other Courts . . . . . }	" s. 35.
" " finality of decrees and orders of, subject to revision . . . . . }	" s. 36.
" " power of Local Government to make rules as to procedure of, and conferring powers on . . . . . }	" s. 37.
" " ss. 11 to 22 not to apply to proceedings in Courts of, unless specially extended . . . . . }	" s. 23.
Insolvency; special provisions as to, in modification of Code of Civil Procedure, ss. 344 to 350:	
Subordinate Judges to have jurisdiction . . . . . }	" s. 24.
Right of agriculturist owing Rs. 50 or more to obtain declaration of insolvency, though not arrested or imprisoned and no order of attachment issued . . . . . }	" ss. 25, 26.
Proof of debts . . . . . }	" s. 28.
Receiver, nazir of Court to be, and not to have commission . . . . . }	" s. 27.
" immoveable property not to vest in, but may be placed under management of Collector; letting or selling of property for payment of secured debt . . . . . }	" ss. 29, 30, 31.
Discharge of scheduled debts . . . . . }	" s. 32.
Bar to appeals . . . . . }	" s. 33.

## 2. Conciliation.

Provisions relating to conciliation now to apply where a society registered under Act 10, 1904 (Co-operative Credit Societies) is party . . . . . }	" s. 48A (ins. Bom. Act 1, 1910, s. 2).
Appointment of Conciliators; local area of their authority . . . . . }	" s. 38.
Matters which may be brought before Conciliator . . . . . }	" s. 39.
Power of Conciliator to invite or direct attendance of parties . . . . . }	" s. 40.
Conciliator to hear parties, and endeavour to reconcile them . . . . . }	" s. 41.
" to hear witnesses and read documents, and may admit oath . . . . . }	" s. 42.
" to record agreement of parties . . . . . }	" s. 43.
" may be appointed arbitrator . . . . . }	" s. 43.
Agreement finally disposing of dispute to be sent to Subordinate Judge; such agreement when to be filed and have effect of decree and when to be returned to Conciliator . . . . . }	" s. 44.

DEKKHAN AGRICULTURISTS' RELIEF—*contd.*3. Conciliation—*contd.*

Agreement for reference to arbitration to be sent to Court having jurisdiction for necessary action . . . . .	Act 17, 1879, s. 15.
Certificate to be given when conciliation fails . . . . .	" s. 46
Suit or application for execution of decree not to be entertained unless such certificate produced; exceptions . . . . .	" s. 47.
Time spent in endeavour to secure amicable agreement excluded in computing period of limitation for such suit or application . . . . .	" s. 48.
Power of Local Government to make rules as to procedure of Conciliators and as to their charges . . . . .	" s. 49.

## 4. Registration of Documents.

Village-registrar: power to appoint . . . . .	" ss. 55, 63.
" " to direct discharge of functions of, by village, registrars concurrently . . . . .	" s. 55.
" certain instruments invalid unless written by or under superintendence of, and executed in presence of, and attested by . . . . .	" ss. 56, 57.
" instruments to which Government or society registered under Act 10, 1904, is a party not to be executed before . . . . .	" s. 62(am. Bom. Act 1, 1910, s. 2).
" to keep register of instruments executed before him . . . . .	" ss. 58, 64.
" to enter copies in register and return originals to executants after endorsement . . . . .	" ss. 58, 64
" to give certified copy of registered instrument to applicant; such copy to be admissible as evidence; endorsement on such copies of receipt for payments . . . . .	" s. 59.
" consideration to be fully stated in instruments written by or under superintendence of; endorsement by, as to transfer of consideration; production of prior instruments or copy before . . . . .	" s. 60.
" registration by, deemed equivalent to registration under Indian Registration Act, in instruments required to be executed before, not to be registered under that Act . . . . .	" s. 61(1).
" superintendence over, and custody of, records of . . . . .	" s. 61(2).
" destruction of unclaimed documents in office of power to make rules as to appointment, punishment, remuneration and fees of . . . . .	" s. 63.
" society registered under Act 10, 1904, is a party . . . . .	" s. 63A(am. Bom. Act 1, 1910, s. 2).

## 5. Miscellaneous.

Superintendence of Courts and Conciliators and revision of their proceedings by District Judge, Assistant Judge, Subordinate Judge or Special Judge . . . . .	" ss. 50 to 54.
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DEKKHAN AGRICULTURISTS' RELIEF—*concl'd.*5. Miscellaneous—*cont'd.*

Agriculturists entitled—	
to written receipts for payments . . . . .	Act 17, 1879, s. 64.
to annual statement of account or to pass book periodically written up . . . . .	" ss 65, 66
Penalty for not giving such receipts, etc. . . . .	" s. 67.
Legal practitioners not to appear before Village-munsif or Conciliator . . . . .	" s. 68.
Relative appearing for party before Village-munsif or Conciliator must have power-of-attorney . . . . .	
Power of Subordinate Judge to direct Government pleader or other person to appear for agriculturist in suits, etc., before his Court . . . . .	" s. 69.
Mortgage, lien or charge must be in writing, exceptions . . . . .	" s. 70.
Restriction on application of s 258 of Code of Civil Procedure (certifying payments under decree) . . . . .	" s. 71.
Rate of interest allowed in suit . . . . .	" s. 71A.
Special periods of limitation for certain suits . . . . .	" s. 72.
Certain agricultural procedure exempted from attachment, etc. . . . .	" s. 73A.
Code of Civil Procedure to apply in suits and proceedings before Subordinate Judge except where inconsistent with Act 17, 1879 . . . . .	" s. 74.
Additional power of Local Government to make rules for working of Act . . . . .	" s. 75.
Publication of rules made under Act . . . . .	" s. 76.
DEMARCATON See BOUNDARIES, SURVEY OF LAND.	
DEMISE OF THE CROWN ACT, 1901 ( <i>See</i> CROWN 3) . . . . .	1 Edw. 7, c. 5.
DEODANDS Abolished : See CORONER	
DEO ESTATE ACT, 1886 . . . . .	Act 9, 1886.
DEPUTY COLLECTOR	
Appointment, etc., of :	
See LAND-REVENUE, III, 2; IV, V, A, 2; VII, A, 2; XIII, 2; XVI, 2	
DE-REGULATIONISED TRACTS	
Tracts of country wholly or partially exempted from the operation of future Acts and Regulations or from the jurisdiction of the ordinary Courts	
Bengal	
Angul District . . . . .	Reg. 1, 1891, ss. 3 to 5.
Santal Parganas . . . . .	Act 37, 1855, ss. 1, 2, Sch. Reg. 3, 1872, s. 3.
Bombay Presidency :	
Village of Muchandi, in Satara . . . . .	Bom Act 3, 1863, s. 8.
British Baluchistan . . . . .	Reg 1, 1890, s. 3.
Burma :	
Shan States . . . . .	Act 13, 1898, s. 8. Bur. Act 1, 1898, s. 13.
Chin Hills . . . . .	Reg 5, 1896, s. 3, am. Reg. 2, 1910, s. 5; Bur. Act 1, 1898, s. 13.
Kachin Hills . . . . .	Reg 1, 1895, s. 3 (am Reg. 2, 1910, s. 4); Bur. Act 1, 1898, s. 13.



DE-REGULATIONISED TRACTS—*contd.*

Tracts of country wholly or partially exempted from the operation of future Acts and Regulations or from the jurisdiction of the ordinary Courts—*contd.*

Eastern Bengal and Assam :

Chittagong Hill-tracts . . . . .	Reg. 1.1900, s. 4.
Garo Hills, Khasi and Jaintia Hills, Lushai Hills, Naga Hills, North Cachar, Sub-Division of Cachar District, the Eastern Dyars in the Goalpara District, Mikir Hills-tracts in Nowgong and Sibsagar Districts, Dibrugarh Frontier Tract in Lakhimpur District . . . . .	Reg. 2, 1880, s. 1, 2. Reg. 3, 1884, s. 1 E. B. & A. Act 1.1900, s. 18.

*See also* FRONTIER, A 1

Madras Presidency :

Certain tracts in the Ganjam and Vizagapatam Districts . . . . . Act 24, 1839, ss 2, 3, 4, 8.

North-West Frontier Province

Upper Tanawal . . . . . Reg 2, 1900, ss 3, 4, 7.

Punjab

Pargana of Spiti . . . . . Reg 1, 1873, s 14.

DÉRELICT VESSELS (REPORT) ACT, 1866 (*See* MERCHANT SHIPPING)

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## DESERTION.

Act 11, 1856, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . .	Act 15, 1874, s. 3.
in the Santhal Parganas . . . . .	Reg 3, 1872, s 3

Penalty for harbouring European deserter from land forces in merchant vessel ; jurisdiction of Magistrates, form of conviction ; conviction to be quashed on merits only . . . . .	Act 11, 1856, ss. 1 to 3.
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Apprehension of such deserters under warrant . . . . .	" ss. 5 to 7.
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Act 11, 1856, not to bar prosecution under other law, but only one prosecution allowed . . . . .	" s. 4.
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By seaman. *See* MERCHANT SHIPPING, 2 (g).

Arrest of foreign deserter . . . . .	Act 15, 1909, s. 63.
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Desertion from army or navy :

Penalties in connection with . . . . .	Act 45, 1860, ss. 135 to 137.
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*See also* ARMY, 4 (b), 7 (b) ; INDIAN MILITARY AND NAVAL FORCES, III, 4 ; NAVY, 3 (b) ; ROYAL INDIAN MARINE, 2.

## DESIGNS.

Act 5, 1888, extends to whole of British India . . . . .	[1] Act 5, 1888, s. 1.
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" " declared in force in British Baluchistan . . . . .	Reg. 1, 1890, s. 3.
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" " " " in Upper Burma except the Shan States . . . . .	Act 13, 1898, s. 4, Sch. 1.
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Definitions . . . . .	Act 5, 1898, ss. 4, 50.
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Registration of . . . . .	" ss. 51, 52, 55, 56, 58, 61, Sch. V.
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rectification of register by order of High Court . . . . .	" s. 59, 60.
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Word " registered " to be marked on articles sold to which registered design applied . . . . .	" s. 51.
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[1] Act 5, 1888, is repealed by Act 2, 1911, which will come into force on 1st January 1912.

DESIGNS—*contd.*

Copyright in . . . . .	
For five years after registration . . . . .	Act 5, 1888, s. 53.
To cease if word "registered" not marked on article sold . . . . .	" s. 54(2)
Suit for infringement of . . . . .	" s. 57.
Registration of cessation of . . . . .	" s. 58.
Employment of agents in proceedings under Act . . . . .	" s. 17, 61.
Fees payable to Government in respect of proceedings under Act . . . . .	" s. 62, Sch VI.
Power of Governor General in Council to make rules for working of Act and to amend forms . . . . .	Act 5, 1888, s. 63.
Chief Court of the Punjab to be High Court for North-West Frontier in proceedings under Act 5, 1888 . . . . .	
	Reg. 7, 1901, s. 6(1)(c).

DESTRUCTION OF RECORDS ACT, 1879 ( <i>See ADMINISTRATION GENERAL, RECORDS</i> ) . . . . .	Act 3, 1879.
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DHARWAR DISTRICT *See* DEKKAN, ETC., 2

DIBRUGARH FRONTIER TRACT. *See* FRONTIER, A. 1

DILUVION. *See* ALLUVION AND DILUVION.

DISCHARGE OF SEAMEN. *See* MERCHANT SHIPPING, 2 (d).

DISCONTINUANCE OF TRAMWAY. *See* TRAMWAY, 6; TRAMWAYS, A, 6, 7.

DISEASE

Control over spread of. *See* ANIMAL, A, INFECTIOUS DISEASE.

DISORDERLY HOUSE.

I—BENGAL.

Local extent of Ben. Act 3, 1906 . . . . .	Ben. Act 3, 1906, s. 1.
Ben. Act 3, 1906, rep. in municipalities, constituted under Ben. Act 3, 1884, in which Ben. Act 2, 1866 (Police, Calcutta Suburbs), is in force . . . . .	Ben. Act 3, 1907, s. 3.
Power to summon owner, tenant, manager or occupier of house and direct him to discontinue its use as a brothel or disorderly house, sanction, report or complaint required to initiation of proceedings, penalty . . . . .	Ben. Act 3, 1906, s. 2.
Calcutta. <i>See</i> POLICE.	

II.—EASTERN BENGAL AND ASSAM.

Local extent of E. B. and A. Act 2, 1907 . . . . .	E. B. & A. Act 2, 1907, s. 1.
Power to summon owner, tenant, manager or occupier of house to show cause why its use as a brothel or disorderly house should not be discontinued . . . . .	" s. 2.
Power to order such discontinuance . . . . .	" s. 3.
Power to pass such order <i>ex parte</i> , on failure of appearance . . . . .	" s. 4.
Sanction, report or complaint required to initiation of proceedings . . . . .	" s. 5.
Penalty for breach of order under section 3 . . . . .	" s. 6.
Power to authorize inspection of house to ascertain whether such order is being complied with . . . . .	" s. 7.

*See also* BROTHEL AND DISORDERLY HOUSE

DISPENSARIES. *See* HOSPITALS AND DISPENSARIES.

## DISPOSAL OF THE DEAD.

## 1. Town and Suburbs of Calcutta.

## (a) BURIAL OF CHRISTIANS.

Burial Board, appointment and constitution of . . . . .	Ben. Act 5, 1881, ss. 2, 3.
" " chairman of . . . . .	" s. 4.
" " power of Local Government to place Government burial-grounds under control of . . . . .	" s. 5.
" " receipts and expenditure of . . . . .	" s. 6.
" " Power of Local Government to withdraw burial ground from control of . . . . .	" s. 9.
" " power of proprietors of Christian burial-ground to place it under control of . . . . .	" s. 10.
" " officers and servants of . . . . .	" s. 7.
" " power of, to make rules . . . . .	" s. 8.

## (b) BURIAL OF MUHAMMADANS.

Burial Board, appointment and constitution of . . . . .	Ben. Act 4, 1880, ss. 3, 4.
" " chairman of . . . . .	" s. 5.
" " control of, over public Muhammadan burial-grounds . . . . .	" ss. 2, 6, 7, Sch. I.
" " Power of owner of Muhammadan burial-ground to place it under control of . . . . .	" s. 8.
" " power of, to purchase land for extension of existing or formation of new burial-ground . . . . .	" s. 9.
" " power of Local Government to withdraw burial-ground from control of . . . . .	" s. 10.
" " receipts and expenditure of . . . . .	" s. 11.
" " officers and servants of . . . . .	" s. 12.
" " power of, to make rules . . . . .	" s. 13.

## (c) BURIAL OF OTHERS.

Power of Local Government to constitute Board for control of public burial-grounds used for; powers of such Board . . . . .	" s. 14, Sch. II.
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## 2. Municipalities.

*See under MUNICIPALITY (sub-heading "The Public Health, Safety and Convenience").*

## 3. Cantonments.

Power to make rules as to use and management of burial and burning grounds in . . . . .	Act 15, 1910, s. 24 (15).
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## DISTRRAINT.

For arrears of rent:

*See LANDLORD AND TENANT, II, A, 3; III, A, 3; IV, A, 3; VI, 2 (c); VIII, 2 (b); IX, 3; X, 2.*

For arrears of land-revenue:

*See cross-references from COLLECTION OF LAND-REVENUE.*

For recovery of municipal taxes and dues.

*See under MUNICIPALITY (sub-heading "Taxation").*

Under Presidency Small Cause Courts Act. *See SMALL CAUSE COURTS, A, 2.*

Of ship. *See MERCHANT SHIPPING, I (b)*

Under Ports Act. *See PORT, I, 6.*

DISTRESSED SEAMEN. *See* MERCHANT SHIPPING, 2<sup>(d)</sup>.

DISTRICT

Definitions of *See* WORDS AND PHRASES.

Ajmere, a single district . . . . . Reg.1,1877,s.44.

Chittagong Hill tracts, constituted a district . . . . . Reg.1,1900,s.7.

In Bengal and Eastern Bengal list of, power to create, transfer  
and alter limits of *See* LAND-REVENUE, III, 1; V, A, 1.

Power to constitute or vary

In Bombay . . . . . { Act14,1869,s.3.  
Bom Act5,1879,s.7

In British Baluchistan . . . . . Reg. 1,1899,s.3.

In Upper Burma . . . . . Act13,1898,s.5.

In Central Provinces . . . . . Act18,1881,s.14.

In Madras . . . . . Mad.Act1,1865.

In N.-W. Fr. and Punjab . . . . . { Act18,1881,s.18.  
Act17,1887,s.5.

In U. P. *See* LAND-REVENUE, XVI 1

DISTRICT BOARDS ACT (PUNJAB), 1883. (*See* LOCAL SELF-  
GOVERNMENT, VIII) . . . . . Act20,1883.

DISTRICT BOARD. *See* LOCAL SELF-GOVERNMENT.

DISTRICT CESSSES AND RURAL POLICE ACT (BURMA), }  
1880 (*See* LOCAL RATES AND CESSSES, D) . . . . . Act2,1880.

DISTRICT COUNCIL, C. P. *See* LOCAL SELF-GOVERNMENT, V.

DISTRICT DAK *See* POST OFFICE (INDIAN LAW), 6.

DISTRICT DELEGATES ACT, 1881 . . . . . Act6,1881.

DISTRICT JUDGE defined *See* WORDS AND PHRASES.

DISTRICT MAGISTRATE defined *See* WORDS AND PHRASES.

DISTURBED DISTRICT.

Act 11, 1857, declared in force—

throughout British India, except as regards the }  
Scheduled Districts . . . . . Act15,1874,s.3.

in the Arakan Hill District . . . . . Reg. 9,1874,s.3.

in Upper Burma generally (except the Shan States) }  
Act13,1898,s.4(1),Sch.

in British Baluchistan . . . . . Reg.1,1890,s.3.

in Angul District . . . . . Reg.1,1894,s.3.

in Chittagong Hill-tracts . . . . . Reg. 1,1900,s.4,Sch.

in Kachin Hill-tracts, as regards hill-tribes . . . . . Reg.1,1893,s.3.

in certain tracts in the Chun Hills . . . . . Reg.5,1896,s.3.

" " not to apply to British-born subjects or their }  
children . . . . . Act11,1857,s.6.

Power of Local Government, when district is proclaimed to be in }  
state of rebellion, to issue commission for trial of offences }  
against the State or heinous crimes against person or property }  
" s.3(1).

Powers of Commissioners so authorised . . . . . " ss.3(2),4.

Power of Magistrates to commit for trial before such Commis- }  
sioners . . . . . " ss.5,11.

Power to quarter additional police in, and recover cost from inha- }  
bitants . . . . . Act5,1861,ss.15,16.



DOG—*contd.*

	(Cal.Sub.)Ben Act2,1866, s.42.
	(Cal.)Ben.Act 4,1866,s 102.
	(Bom.Districts)Bom Act4, 1890,ss 49,50.
	(Bom.City)Bom.Act4,1902, s.29.
	(Mad.City)Mad.Act3,1888, s 29.

Punishment for letting loose unmuzzled dogs, etc. *See also*  
STREETS, THOROUGHFARES AND PUBLIC PLACES.

Muzzling of, in municipalities

*See* Under MUNICIPALITY (*sub-heading* "The Public Health,  
Safety and Convenience").

Destruction of stray dogs in municipalities. *See Ibit.*

Taxation of, in municipalities

Aj	Reg. 5, 1886, s. 41(c).
Bom Districts	Bom. Act 3, 1901, s. 50(v).
Bur	Bur. Act 3, 1893, s. 46(b).
C P	Act 16, 1903, s. 35 (iv).
Mad. City.	Mad. Act 3, 1904, s. 150, Sch. VI.
N-W. Fr and Punj	Act 20, 1891, s. 42(c).
U P	U. P. Act 1, 1900, s. 59(c).

DOMICILE ACT, 1861 [1] [*See* ADMINISTRATION OF ESTATES (ENG.  
LAW), DOMICILE] 24-5V.c.121.

## DOMICILE

Power by order in C . . . . . }  
to declare that " . . . . . }  
foreigner resid . . . . . }  
domicile for purpose of testate or intestate succession as to  
moveables, unless certain conditions for changes of domicile  
complied with . . . . . } 24-5V.c.121.

What form sufficient for execution of will of personality by British  
subject abroad or in United Kingdom . . . . . } 24-5V.c.114.

Will not be revoked by subsequent change of domicile . . . . . 24-5V.c.114,s.3.

*See* SUCCESSION, 2

DOURINE ACT, 1910 (*See* ANIMAL A, 1) . . . . . Act5,1910.

DOWER ACT, 1839 (*See* DOWER)<sup>1</sup>. . . . . Act29,1839.

## DOWER. 1. Preliminary.

Act 29, 1839, declared in force throughout British India, except }  
as regards the Scheduled Districts . . . . . } Act 15, 1874, s. 3.  
" " not to take effect before 1st July 1840 . . . . . Act29,1839,s.14.  
" " repealed except as to marriages contracted before }  
1st January 1866 . . . . . } Act8,1868.  
Definitions . . . . . Act29,1839,s.1.

## 2. Right to, and Bar of Right.

Right to, out of equitable estates of inheritance . . . . . " s.2.  
" where husband entitled to right of entry or action . . . . . " s.3.  
No right to, out of land disposed of by husband by deed or will . . . . . " s.4.  
Postponement of, to partial estates, charges and debts of husband . . . . . " s.5.

[1] This short title was given by 59 & 60 Vict. c. 14.

**DOWER—contd.****2. Right to, and Bar of Right—contd**

Bar of, by declaration in deed or in will . . . . .	Act 29, 1839, ss. 6, 7.
Imposition of restrictions on, by will . . . . .	" s. 8.
Bar by devise to widow of land subject to dower, unless contrary intention declared . . . . .	" s. 9.
No bar by bequest of personality, or devise of land not subject to dower, unless contrary intention declared . . . . .	" s. 10.
Enforcement of agreement not to bar . . . . .	" s. 11.
Saving for priority of legacies in satisfaction of . . . . .	" s. 12.
" certain rights and jurisdiction . . . . .	" s. 15.
Restriction of claims under Muhammadan contracts of dower . . . . .	{ (A.) Reg. 3, 1877, s. 32. (O.) Act 18, 1876, s. 5.

**DRAINAGE ACT (BENGAL), 1880 . . . . .**

Ben. Act 6, 1880.

**DRAINAGE.**

1838. Act 1, s. 6 (Compulsory Labour, Madras)	1879. Bom. Act 7, ss. 3, 4, 12 to 15, 31, 32, 38 to 41, 61, 63, 65 to 70 (Irrigation and Drainage).
1873. Act 8, ss. 3 to 13, 55 to 67, 69 to 73, 75 (Irrigation and Drainage, Central Provinces, United Provinces, Punjab).	1880. Ben. Act 6 (Drainage)
1874. Act 15, s. 4 (Laws Local Extent).	1882. Ben. Act 2, s. 91 (Embankments)
1876. Ben. Act 3, ss. 1, 3, 5, 40 to 45, 92 to 95, 97 to 99 (Irrigation and Drainage).	1893. Ben. Act 8 (Sanitary Drainage).
	1902. Ben. Act 2, ss. 14 to 19 (Drainage amendment).
	1905. Bur. Act 2, ss. 3, 5, 59 to 79 (Drainage, Burma).

**I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.****A—Under the Bengal Irrigation Act, 1876.  
B—Under the Bengal Drainage Act, 1880.**

1. PRELIMINARY.
2. DRAINAGE COMMISSIONERS.
3. DRAINAGE-SCHEME.
4. SUPPLEMENTAL.

**C—Under the Bengal Sanitary Drainage Act, 1895.**

1. PRELIMINARY.
2. DRAINAGE COMMISSIONERS AND JOINT COMMITTEES OF LOCAL AUTHORITIES.
3. DRAINAGE-SCHEME.
4. SUPPLEMENTAL.

**II.—BOMBAY PRESIDENCY.****III.—BURMA.****IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. PR. PROVINCE, PUNJAB AND UNITED PROVINCES.****V.—MADRAS PRESIDENCY.****I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL****A—Under the Bengal Irrigation Act, 1876.**

Act applicable only to districts to which extended by Local Government . . . . .	{ Ben. Act 3, 1876, s. 1.
Definitions . . . . .	" s. 3.
Appointment of officers, etc. . . . .	" s. 5.

DRAINAGE—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*A—Under the Bengal Irrigation Act, 1876—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course, portion of river, etc., so dealt with becomes a drainage-work	Ben. Act 3, 1876, s. 40.
Removal or modification of such obstructions, and recovery of cost	„ ss. 41, 42.
Preparation of scheme for works of improvement	„ s. 43.
Compensation—claims for, how dealt with, limitation of claims	„ ss. 44, 45.
Power of officers to summon and examine witnesses	„ s. 92.
Penalties, removal of obstruction or repair of damage by convicted person, saving of prosecutions under other laws; compensation and rewards payable out of fines	„ ss. 93 to 95, 97, 98.
Making and publication of subsidiary rules	„ s. 99.

## B—Under the Bengal Drainage Act, 1880.

## 1. PRELIMINARY.

Definitions	{ Ben. Act 6, 1880, s. 3 (am. Ben. Act 2, 1902, s. 2).
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## 2. DRAINAGE COMMISSIONERS.

Appointment, etc., of Commissioners to carry out scheme and plans for drainage and improvement of land	{ Ben. Act 6, 1880, s. 4.
Qualifications of Commissioners, proceedings not invalid for want of qualifications	
Chairman of Commissioners, appointment and powers of	„ ss. 5, 7, 8, 10.
Meetings of Commissioners	„ ss. 6 to 9 (1).
Delegation of powers of Commissioners to Committee of their number; meetings of Committee	„ s. 9 (2) to (4).
Officers and servants of Commissioners; appointment, etc., of	„ s. 10.
Cessation of functions of Commissioners when objects of their appointment fulfilled	„ s. 11.

## 3. DRAINAGE-SCHEME.

Notification of	{ „ s. 12, Sch. A.
Ascertainment of votes of landholders	„ ss. 13 to 16.
If landholders of half the area to be improved have assented to adoption of scheme, Commissioners to consider it; adoption of scheme, in whole or in part; sanction of Local Government required to adoption	{ „ ss. 17 to 19.
Modification of scheme by Commissioners	„ s. 20.
Acquisition of land for carrying out scheme	„ s. 21.
Power of Local Government—	
to have scheme carried out by special officer with advance from public funds	{ „ s. 22.
to sanction modification of scheme on suggestion of such officer	{ „ s. 23.
Compensation payable for damage caused by carrying out scheme	{ „ s. 24.
Reports of progress and completion of works	{ „ ss. 27, 28.



DRAINAGE—*contd.*I—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*B—Under the Bengal Drainage Act, 1880—*contd.*3. DRAINAGE-SCHEME—*contd.*

## Expenses connected with carrying out scheme :

May be met by advances from public funds . . . . .	Ben. Act 6, 1880, s. 25.
Interest on advances rate of, no compound interest . . . . .	" ss. 26, 26A.
Reports of expenditure, certificate of Examiner of Accounts to be conclusive evidence as to advances . . . . .	" s. 27.
Commissioners to classify lands benefited by works and to apportion cost of construction and interest . . . . .	" s. 28.
Declaration as to liability to pay expenses where land benefited forms part of tenure . . . . .	" s. 30.
Expenses a first charge on land benefited, charge not avoided by sale for arrears of revenue or rent . . . . .	" s. 31.
Publication, etc., of report describing apportionment . . . . .	" ss. 32, 34.
Making of apportionment and report thereof by Government officers in default of Commissioners . . . . .	" s. 33.
Appeal against, and final determination of, apportionment . . . . .	" ss. 35, 36.
Power to add to, or alter, declaration as to names of persons liable to pay . . . . .	" s. 36A.
Powers of Collector for recovery of apportioned sum . . . . .	" ss. 37 to 40. 48, Sch. B.
Right of landholder to repay apportioned sum at any time . . . . .	" s. 41.
Power to recover share of payments from co-sharers . . . . .	" ss. 41A. 51B, 51C.
Recovery of apportioned sum, with interest, by superior from interior holder of land, by enhancement of rent or otherwise; intervention of Collector . . . . .	" ss. 42 to 44, 45.
Recovery, under the certificate procedure, of payments made in respect of land held by tenants . . . . .	" ss. 44A, 45, 51B, 51C.
Bar to recovery of money from tenants in certain cases . . . . .	" s. 44B.
Works to be subject to law relating to construction and main- tenance of public embankments and public rivers, channels and outlets . . . . .	" s. 46.
Bengal Embankment Act, 1882, not to apply to embankment, land or water-course under operation of Ben. Act 6, 1880 . . . . .	Ben. Act 2, 1882, s. 91.
Land acquired, and works, vested in Collector in behalf of Secretary of State . . . . .	Ben. Act 6, 1880, s. 47.
Appointment or election of Committee of landholders to assist Collector in managing works . . . . .	" s. 48.
Recovery of cost of maintenance of works . . . . .	" s. 48.
Part claims and charges in respect of the drainage schemes of Howrah and Rajapur :	
Recovery of, under the certificate procedure . . . . .	Ben. Act 2, 1902, s. 14.
Reduction of charges . . . . .	" s. 15.
Refunding or crediting of reduction to landholder . . . . .	" s. 16.
Proportionate reduction in amounts recoverable—	
by landholder from tenants . . . . .	" s. 17.
by superior tenants from under-tenants . . . . .	" s. 18.
Power to make rules as to reductions . . . . .	" s. 19.

DRAINAGE—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd*B—Under the Bengal Drainage Act, 1880—*contd.*

## 4. SUPPLEMENTAL.

Treatment, for purposes of recovery of dues, of certain lands held free of rent or revenue . . . . .	Ben. Act 6, 1880, ss. 50, 51.
Recovery, under the certificate procedure, of payments made in respect of land held free of rent or revenue . . . . .	" ss. 51A to 51C.
Power of Collector to suspend recovery of dues in case of failure of crops, bar to jurisdiction of Courts, subsequent procedure, interest not to accrue during period of suspension . . . . .	" ss. 51D to 51J.
Power to direct that portion of adopted scheme shall be deemed a separate scheme . . . . .	" s. 54.
Powers of Commissioners and officers for taking evidence . . . . .	" s. 49.
Service of notices . . . . .	" s. 52.
Defects and irregularities not to invalidate proceedings . . . . .	" ss. 4, 53.
Functions of Collector; conferral of, by Local Government, on other persons . . . . .	" s. 55.
" " delegation of, by himself . . . . .	" s. 56.
General control of Commissioner of Division over Drainage Commissioners and Collector . . . . .	" s. 57.
Making and publication of rules for carrying out provisions of Act . . . . .	" s. 58.
Application of Bengal Act 6, 1880, to works carried out under former law (Ben. Act 3, 1871) . . . . .	" s. 59.

## C.—Under the Bengal Sanitary Drainage Act, 1895.

## 1. PRELIMINARY.

Definitions . . . . .	Ben. Act 8, 1895, ss. 2, 6, 13.
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## 2. DRAINAGE COMMISSIONERS AND JOINT COMMITTEES OF LOCAL AUTHORITIES.

Election and appointment of Commissioners, on application of District Board, when sanitary condition of land deteriorated by obstruction of drainage, qualifications of Commissioners . . . . .	" s. 3(1).
Designation of Commissioners, power to add to their number, filling of casual vacancies . . . . .	" s. 5.
Chairman of Commissioners, election of . . . . .	" s. 3(2).
Election of Joint Committee, where lands are subject to more than one Local Authority . . . . .	" s. 4(1).
Powers and proceedings of Joint Committee; payment of expenses by Local Authorities . . . . .	" s. 4(2).

## 3. DRAINAGE SCHEME.

Engineer to prepare survey for restoration or improvement of drainage; Commissioners to prepare preliminary scheme; separate details to be shown for lands included in municipality . . . . .	" s. 6(1).
Collector to prepare statement of cesses and estimate of rate to provide for cost of construction and maintenance of works . . . . .	" s. 6(2).
Collector to invite objections to survey and preliminary scheme . . . . .	" s. 7, Sch.
Consideration of survey, scheme and objections by Commissioners and District Board . . . . .	" s. 8, 9.

DRAINAGE—*contd.*I.—BENGAL (EXCEPT SĀMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*C. —Under the Bengal Sanitary Drainage Act, 1895—*contd.*3. DRAINAGE-SCHEME—*contd.*

If scheme rejected, District Board to pay expenses . . . . .	Ben. Act 8, 1895, s. 10.
Adoption of survey and preliminary scheme; calculation of rate to be imposed . . . . .	„ ss. 11, 12.
Local Government may approve, modify or reject scheme . . . . .	„ s. 14.
District Board may reconsider and alter scheme; powers of Local Government thereon . . . . .	„ s. 15(1)
Publication of alterations in scheme . . . . .	„ s. 15(2).
Acquisition of land for scheme . . . . .	„ s. 16.
Works by whom to be carried out; powers of entry exercisable by person executing work . . . . .	„ s. 17.
Report of progress of works . . . . .	„ s. 19
Expenses connected with carrying out scheme . . . . .	
Total cost what to include and how ascertained . . . . .	„ ss. 18, 20.
Reports of expenditure . . . . .	„ s. 19
Proportionate payments where area benefited is under different Local Authorities . . . . .	„ s. 19(2), (3).
Payment to be made by Municipal Commissioners when area benefited is under their control . . . . .	„ s. 25
Determination of rate for payment of . . . . .	„ s. 21.
Rate to be published and paid with road cess; recovery of arrears . . . . .	„ s. 22.
Recovery by superior from inferior holder of land of half the rate paid by the former . . . . .	„ ss. 23, 24.
Power of Municipal Commissioners to add to the tax on persons or the rate on holdings, to provide for payment of . . . . .	„ s. 25(2)
Power of Local Government to stay proceedings until scheme revised, when satisfied that cost has been erroneously estimated . . . . .	„ s. 34.
Works to be subject to law relating to construction and maintenance of public embankments, rivers, channels and outlets . . . . .	„ s. 26.
Land acquired, and works vested in District Board . . . . .	„ s. 28.

## 4. SUPPLEMENTAL

Penalty for obstructing natural drainage . . . . .	„ s. 27.
Powers of Commissioners and officers for taking evidence . . . . .	„ s. 29.
Defects and omissions not to invalidate proceedings . . . . .	„ s. 30.
Powers of Collector; conferral of, by Local Government on other persons . . . . .	„ s. 31.
„ „ delegation of, by himself . . . . .	„ s. 32.
General control of Commissioner of Division over Drainage Commissioners and Collector . . . . .	„ s. 33.
Making and publication of rules for carrying out provisions of Act . . . . .	„ s. 35.

## II.—BOMBAY PRESIDENCY.

Definitions . . . . .	Bom. Act 7, 1879, s. 3.
Appointment of officers, etc. . . . .	„ s. 4.

DRAINAGE—*contd.*II.—BOMBAY PRESIDENCY—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course, portion of river, etc., so dealt with becomes a "drainage-work" . . . . .	Bom. Act 7, 1879, s. 12.
Removal or modification of such obstructions, and recovery of cost . . . . .	" ss. 13, 14.
Preparation of scheme for works of improvement . . . . .	" s. 15.
Compensation: in what cases payable for damage caused by exercise of powers under Act, limitation of claims, adjudication of claims, payment when to be made, interest when allowed on payments . . . . .	" ss. 31, 32, 38 to 41.
Penalties, removal of obstruction or repair of damage by convicted person, saving of prosecutions under other laws; reward of informers . . . . .	" ss. 61, 63, 65, 66.
Appeal and supervision . . . . .	" s. 67.
Power of officers to summon and examine witnesses . . . . .	" s. 68.
Service of notices . . . . .	" s. 6.
Making and publication of subsidiary rules . . . . .	" s. 70.

## III.—BURMA.

Definitions . . . . .	Bur. Act 2, 1905, s. 3.
Appointment of officers, etc. . . . .	" s. 5.
Power to prohibit obstructions in, or order their removal from, river, stream or drainage-channel, portion of river, etc., so dealt with becomes "drainage-work" . . . . .	" s. 59.
Removal or modification of obstruction, and recovery of cost . . . . .	" s. 60.
Preparation of scheme for works of improvement . . . . .	" ss. 61, 62.
Compensation for loss caused by removal of obstruction or carrying out of works, disposal of claim, limitation of claim . . . . .	" s. 65.
Rates on lands benefited by drainage-works; recovery of rates . . . . .	" ss. 63, 64, 80.
Procedure for obtaining labour and materials for drainage works on emergency, payment, compensation . . . . .	" ss. 66 to 71.
Power of officer making inquiry to summon and examine witnesses; inquiry to be deemed judicial proceeding . . . . .	" s. 74.
Jurisdiction of Civil Courts in respect of claims against Government for anything done under Act . . . . .	" s. 72.
Offences and penalties, compensation to person injured by offence against Act; arrest without warrant . . . . .	" ss. 75, 76, 78.
Making and publishing of rules; penalty for breach of rule . . . . .	" s. 79.

## IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . .	Act 8, 1873, ss. 3, 55, 63.
Appointment of officers, etc. . . . .	" s. 4.
Power of Local Government to declare that water will be applied or used for purposes of drainage-work; consequences to ensue on such declaration ( <i>for details see IRRIGATION, V, 2</i> ) . . . . .	" ss. 5 to 13.
" to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes a "drainage-work" . . . . .	" s. 55.

DRAINAGE—*contd.*IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES—*contd.*

Removal of such obstructions, and recovery of cost . . . . .	Act8,1873,s.56.
Preparation of schemes for works of improvement . . . . .	„ ss.57,58.
Procedure for obtaining labour for works on emergency . . . . .	„ ss 63to66.
Compensation claims for, how dealt with; limitation of claims . . . . .	„ ss.61,62.
Rate on lands benefited by works; imposition and recovery of . . . . .	„ ss.59,60.
Jurisdiction of Civil Courts . . . . .	„ s.67.
Power of officers to summon and examine witnesses . . . . .	„ s 69.
Penalties, prosecutions under other laws; compensation payable out of fines; arrest; making and publication of subsidiary rules . . . . .	„ ss 70to73,75.

## V.—MADRAS PRESIDENCY.

Act 1, 1858, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .	Act15,1874,s.4.
Penalty on villagers who are bound by custom to contribute labour for purpose of drainage-work refusing to comply with requisition for labour . . . . .	Act1,1858,s.6.

## DRAINS

To be managed by Local Self-Government Boards. *See* LOCAL SELF-GOVERNMENT, III, 3, VII, 3; IX, 3

## DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

*Regulation of, in municipalities*

*See under* MUNICIPALITY (*sub-heading* “The Public Health, Safety and Convenience”).

*Regulation of, in Aden, see* ADEN, 3

*Regulation of, in bazars in British Baluchistan, see* BRITISH BALUCHISTAN, II, 6 (*f*).

DRAMATIC COPYRIGHT ACT, 1833<sup>[1]</sup> (*See* COPYRIGHT, 2) 3-4W.4,c.15.

DRAMATIC PERFORMANCES ACT, 1876 (*See* DRAMATIC PERFORMANCE) Act10,1876.

## DRAMATIC PERFORMANCE.

Act 19, 1876, extends to whole of British India . . . . . Act19,1876,s.1.

“ “ declared in force in Upper Burma generally, except the Shan States (with modifications and with the exception of a 12) . . . . . Act13,1898,s 4,Sch.

Power of Local Government or specially empowered Magistrate to prohibit public performance of scandalous, etc., play; procedure and penalties . . . . . Act19,1876,ss 3to9.

Power of Local Government in specially notified areas to prohibit public performance of play without license, or until play submitted for official inspection; penalty for disobedience . . . . . „ s.10.

Penalty for holding, etc., unlicensed *pué* in any town or village tract in Burma . . . . . Bur Act3,1907,s.11.  
Bur.Act6,1907,s.21.

Copyright in dramatic pieces. *See* COPYRIGHT, 2 (*b*), 5 (*a*).

DRINK. *See cross-references from* FOOD AND DRINK.

## DRUGS.

Punishment of offences relating to . . . . . Act45,1860,ss.274to276.

[1] This short title was given by 59 & 60 Vict. c. 14

DRUGS—cont'd.

Destruction of, on conviction of offence . . . . . Act 5, 1898, s. 521.  
Control over sale of, in municipalities *See under* MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").  
Intoxicating *See* EXCISE, 3  
*See also* POISON.

### DUTIES AND POWERS.

Statutory, general provisions as to performance and exercise of.  
See ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS, ETC., 1.

EASEMENTS ACT (INDIAN), 1882	Act 5, 1882.
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## EASEMENT

Act 5, 1882, extends <i>proprio iure</i> to Sambalpur District (Bengal), Central Provinces, Coorg and Madras Presidency . . . . .	Act 5, 1882, s. 1.
" extended to Bombay Presidency and the United Provinces . . . . .	Act 8, 1891.
" not to affect rights of Government as to water, rights over immoveable property irrespective of other immoveable property, or rights acquired before commencement of Act . . . . .	Act 5, 1892, s. 2.
Definition of "easement" and of terms used in connection therewith . . . . .	" ss. 4, 7.
Definition of "easement" . . . . .	Act 9, 1908, ss. 2, 29(3).
Description of various kinds of . . . . .	Act 5, 1882, ss. 5, 6.
Who may impose . . . . .	" ss. 8 to 11.
" " acquire . . . . .	" s. 12.
Easements of necessity, and <i>quasi</i> -easements . . . . .	" ss. 13, 14.
Acquisition of . . . . .	" ss. 15 to 17.
Customary easements . . . . .	Act 9, 1908, ss. 26, 27, 29(3).
Transfer of dominant heritage passes easement . . . . .	Act 5, 1882, s. 18.
Use of, may be controlled by contract, custom, etc . . . . .	" s. 19.
" barred, save as connected with enjoyment of dominant heritage . . . . .	" s. 20.
" mode and confinement of . . . . .	" s. 21.
" alteration of mode or place of . . . . .	" s. 22.
" right to do acts to secure . . . . .	" s. 23.
" liability for charges connected with . . . . .	" s. 24.
" rights and duties of servient owner in connection with . . . . .	ss. 25, 26.
" right to obstruct in case of excessive . . . . .	" s. 27.
" dominant owner not entitled to abate wrongful obstruction of . . . . .	" s. 31.
Extent of . . . . .	" s. 36.
Increase of, by alteration of dominant heritage, barred . . . . .	" s. 28.
How affected by partition of dominant heritage . . . . .	" s. 29.
Disturbance of, prohibited . . . . .	" s. 30.
" suit for compensation for, when maintainable . . . . .	" s. 32.
" injunction to restrain . . . . .	ss. 33, 34.
Extinction of . . . . .	" s. 35.
	ss. 37 to 50.

[<sup>17</sup>] Act 5, 1882, has been extended to Aimer-Merwara by notification under Act 14, 1874.

EASEMENT—*contd.*

Suspension of . . . . .		Act 5, 1882, ss. 49, 59.
Revival of . . . . .		" s. 51.
Intervention of Magistrate in case of dispute concerning. <i>See</i> CRIMINAL PROCEDURE (INDIAN), 6 (d)		
EAST INDIA ACT, 1797 [ <i>See</i> CRIMINAL LAW AND PROCEDURE } (ENG.); HIGH COURT]		37G.3, c. 142.
EAST INDIA ANNUITY FUNDS } ( <i>See</i> GOVERNMENT OF INDIA) ACT, 1874 <sup>[1]</sup>		37-8V. c. 12.
EAST INDIA COMPANY. <i>See</i> GOVERNMENT OF INDIA, 1		
EAST INDIA COMPANY ACT, 1770 <sup>[1]</sup> [ <i>See</i> CRIMINAL LAW } AND PROCEDURE (ENG.); GOVERNMENT OF INDIA]		10G.3, c. 47.
EAST INDIA COMPANY ACT, 1772 <sup>[1]</sup> [ <i>See</i> CRIMINAL LAW } AND PROCEDURE (ENG.), EVIDENCE, I; GOVERNMENT OF INDIA, HIGH COURT; INDIAN MILITARY AND NAVAL FORCES]		13G.3, c. 63.
EAST INDIA COMPANY ACT, 1780 <sup>[1]</sup> [ <i>See</i> CRIMINAL LAW } AND PROCEDURE (ENG.); GOVERNMENT OF INDIA; HIGH COURT]		21G.3, c. 70.
EAST INDIA COMPANY ACT, 1784 <sup>[1]</sup> [ <i>See</i> CRIMINAL LAW } AND PROCEDURE (ENG.), EVIDENCE, I]		24G.3, c. 25.
EAST INDIA COMPANY ACT, 1786 <sup>[1]</sup> [ <i>See</i> CRIMINAL LAW } AND PROCEDURE (ENG.); EVIDENCE, I]		26G.3, c. 57.
EAST INDIA COMPANY ACT, 1793 <sup>[1]</sup> [ <i>See</i> COMMANDER-IN- CHIEF; CRIMINAL LAW AND PROCEDURE (ENG.); GOVERN- MENT OF INDIA, HIGH COURT, INDIAN MILITARY AND NAVAL FORCES; JUSTICE OF THE PEACE; SECRETARIES]		33G.3, c. 52.
EAST INDIA COMPANY ACT, 1813 <sup>[1]</sup> [ <i>See</i> ADVOCATE GEN- ERAL; BISHOPS AND CLERGY; GOVERNMENT OF INDIA; HIGH COURT; INDIAN MILITARY AND NAVAL FORCES, SECRE- TARIES]		53G.3, c. 155.
EAST INDIA COMPANY BONDS ACT, 1811 <sup>[1]</sup>		51G.3, c. 64.
EAST INDIA COMPANY (MONEY) ACT, 1786 <sup>[1]</sup>		26G.3, c. 62
EAST INDIA COMPANY (MONEY) ACT, 1788 <sup>[1]</sup>		28G.3, c. 29.
EAST INDIA COMPANY (MONEY) ACT, 1789 <sup>[1]</sup>		29G.3, c. 65.
EAST INDIA COMPANY (MONEY) ACT, 1791 <sup>[1]</sup>	( <i>See</i> GOVERNMENT OF INDIA)	31G.3, c. 11
EAST INDIA COMPANY (MONEY) ACT, 1793 <sup>[1]</sup>		33G.3, c. 47.
EAST INDIA COMPANY (MONEY) ACT, 1794 <sup>[1]</sup>		34G.3, c. 41.
EAST INDIA CONTRACTS ACT, 1870 <sup>[1]</sup> ( <i>See</i> GOVERNMENT OF } INDIA; PROPERTY)		33-4V. c. 59.
EAST INDIA IRRIGATION AND CANAL ACT, 1869 . . . . .		32-3V. c. 7.
EAST INDIA IRRIGATION AND CANAL COMPANY.		
Transfer of Orissa and Behar undertakings by the Company to } the Secretary of State for India in Council . . . . .		32-3V. c. 7.
EAST INDIA LOANS ACT <sup>[1]</sup> , 1858 { ( <i>See</i> GOVERNMENT OF } INDIA)		21-2V. c. 3.

[<sup>1</sup>] This short title was given by 59 & 60 Vict. c. 14.

EAST INDIA LOAN ACT, 1859 <sup>[1]</sup>		22V.c.11.
EAST INDIA LOAN (NO. 2) ACT, 1859 <sup>[1]</sup>		22-3V.c.39.
EAST INDIA LOAN ACT, 1860 <sup>[1]</sup>		23-4V.c.130.
" " " " 1861 <sup>[1]</sup>		24-5V.c.25.
" " " " 1869 <sup>[1]</sup>		32-3V.c.106.
" " " " 1873 <sup>[1]</sup>		36-7V.c.32.
" " " " 1874 <sup>[1]</sup>		37-8V.c.3.
" " " " 1877 <sup>[1]</sup>		40-IV.c.51.
" " " " 1879 <sup>[1]</sup>		42-3V.c.60.
" " " " 1885 <sup>[1]</sup>		48-9V.c.28.
" " " " 1893		56-7V.c.70.
" " " " 1898	(See FINANCE)	61-2V.c.13.
" " " " 1908		8Edw.7,c.54.
EAST INDIA LOAN (GREAT INDIAN PENINSULA RAILWAY DEBENTURES) ACT, 1901		1Edw.7,c.25.
EAST INDIA LOAN (EAST INDIAN RAILWAY DEBENTURES) ACT, 1880. (See also E. I. Ry. Co.).		43V.c.10
EAST INDIA LOANS (RAILWAYS) ACT, 1905		5Edw.7,c.19.
EAST INDIA LOANS (RAILWAYS AND IRRIGATION) ACT, 1910		10Edw.7,c.5.
EAST INDIA OFFICERS' ACT, 1826 <sup>[1]</sup>	{ See GOVERNMENT OF INDIA ; INDIAN MILITARY AND NAVAL FORCES }	7G.4,c.56.
EAST INDIA STOCK ACT, 1860 <sup>[1]</sup>		23-4V.c.102.
EAST INDIA STOCK DIVIDEND REDEMPTION ACT, 1873	{ (See FINANCE) }	36-7V.c.17.
EAST INDIA UNCLAIMED STOCK ACT, 1895	{ See FINANCE ; RAILWAY }	48-9V.c.25.
EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) ACT, 1879 <sup>[1]</sup>		42-3V.c.43.
EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) ACT, 1881 <sup>[1]</sup>	{ (See E. I. R. Co., FINANCE) }	44-5V.c.53.
EAST INDIAN RAILWAY COMPANY.		
Raising stock for redemption of annuity charged on Indian revenues for purchase of ; purchase of annuity from holders		42-3V.c.43. 44-5V.c.53.
Raising loan for payment of debentures of		43V.c.10.
EASTERN BENGAL AND ASSAM.		
Constitution of Province		Act7,1905, preamble.
" " pending proceedings not affected by		" s.6.
Proclamations constituting Province not to change territorial application of enactments		" s.2.
Construction of certain references in enactments, notifications, orders, schemes, rules, forms and by-laws in force in		" s.3,Schs. A, B, D.
Board of Revenue for—		
Constitution and functions of ; exercise by, of functions of Board of Revenue, Bengal		" ss.3,4,Schs. A, B, D.
Powers to Courts and Local Government for facilitating application of enactments, notifications, orders, schemes, rules, forms and by-laws in		" s.5,Schs. A, B.

[1] This short title was given by 39 &amp; 40 Vict. c. 14.



EASTERN BENGAL AND ASSAM—*contd.*

Districts comprised in Assam . . . . .	Act 7, 1907, Sch. A.
“ transferred from Bengal to the Province of Eastern Bengal and Assam . . . . .	“ Sch. B.
EASTERN BENGAL AND ASSAM COURT OF WARDS (AMENDMENT) ACT, 1907 . . . . .	E.B.&A. Act 3, 1907.
ASTERN BENGAL AND ASSAM DISORDERLY HOUSES ACT, 1907 ( <i>See</i> DISORDERLY HOUSE) . . . . .	E.B.&A. Act 2, 1907.
EASTERN BENGAL ASSAM EXCISE ACT, 1910 [ <i>See</i> CANTONMENT; CRIMINAL PROCEDURE (IND.); CUSTOMS (INLAND); CUSTOMS (SEA); EXCISE; MUNICIPALITY, IV, 6 (k); VI, 6(m)] . . . . .	E.B.&A. Act 1, 1910.
EASTERN BENGAL AND ASSAM GENERAL CLAUSES ACT, 1909 ( <i>See</i> ACTS AND REGULATIONS OF INDIAN LEGISLATURES, CHITTAGONG HILL-TRACTS; DEREGULATIONISED TRACTS; FRONTIER) . . . . .	E.B.&A. Act 1, 1909.
EASTERN BENGAL AND ASSAM LAND REGISTRATION (AMENDMENT) ACT, 1907 . . . . .	E.B.&A. Act 1, 1907.
EASTERN BENGAL AND ASSAM TENANCY (AMENDMENT) ACT, 1908 . . . . .	E.B.&A. Act 1, 1908.
EASTERN DVARS (IN GOALPARA DISTRICT, ASSAM). <i>See</i> FRONTIER, A, 1.	
EASTERN FRONTIER REGULATION (BENGAL), 1873 [°] <i>See</i> (FRONTIER) A, 2, D, 1 . . . . .	Reg. 5, 1873.
EDUCATION.	
To be carried on under authority of Local Self-Government Boards. <i>See</i> LOCAL SELF-GOVERNMENT, II, 3; III, 3; IV, 3; V, 3; VII, 3; VIII, 3; IX, 3.	
Provisions as to, in municipalities. <i>See under</i> MUNICIPALITY ( <i>sub-headings</i> “ Funds and Property ”, “ The Public Health, Safety and Convenience ”).	
Expenditure on, in cantonments . . . . .	Bom. Act 1, 1884, s. 48.
Colleges, etc., for natives <i>See</i> GOVERNMENT OF INDIA, 3. <i>See also</i> UNIVERSITY.	
EDULABAD PARGANA. <i>See</i> DEKKHAN, ETC., 3.	
ELDERS WIDOWS' FUND (INDIA) { <i>See</i> ELDERS WIDOWS' ACT, 1878 [2] . . . . . } FUND . . . . .	41-2V.c.47.
ELDERS WIDOWS' FUND.	
Claim of certain subscribers to, on transfer of part of, to India Office Provident Fund . . . . .	41-2V.c.47, s. 2.
Annual contribution of Secretary of State for India to . . . . .	“ s. 3.
Power to trustees to apply capital in discharge of liabilities . . . . .	“ s. 4.
Application of ultimate surplus; provision in case of deficiency . . . . .	“ ss. 5, 6.
<i>See also</i> REGULAR AND ELDERS WIDOWS' FUNDS ACT, 1897.	
ELECTRICITY ACT (INDIAN), 1910 . . . . .	Act 9, 1910.
ELECTRICITY.	

## 1. Preliminary.

Act 9, 1910; extent and commencement of . . . . .	Act 9, 1910, s. 1.
Definitions . . . . .	“ s. 2.

[1] This short title was given by Notification No. 13, dated 11th October 1875, in Gazette of India, 1875, Pt. I, p. 529.

[2] This short title was given by 59 & 60 Vict. c. 14.

ELECTRICITY—*cont'd*

## 2. Supply of Energy.

License to supply, etc., granting of; procedure; notices to be given and objections to be considered; form and contents of license	Act 9, 1910, s. 3, Sch.
„ revocation of, addition of further terms and conditions, power to vary terms of purchase in	„ ss. 4, 10.
„ purchase of undertaking or removal of materials, etc., on revocation of	„ ss. 5, 6, 8, 9.
Licensee; option of local authority to purchase undertaking of	„ ss. 7, 8.
„ not to associate himself with other licensed undertaking or transfer undertaking without consent of Local Government	„ s. 9.
„ accounts of, and security to be given by	„ s. 11, Sch., cls. I, II, III.
Non-licensee not to engage in supplying energy except with sanction of Local Government; restriction on grant of sanction	„ s. 28.
Streets, railways, tramways, etc.; breaking up of, by licensees	„ ss. 12, 16.
„ „ „ „ „ „ by non-licensees	„ s. 29.
Supply lines and other works; laying of; repairs	„ ss. 12 to 19, 29.
Restrictions on placing works in, under, over, along or across streets, railways, etc.	„ s. 13, Sch., cl. XVII.
„ alteration of pipes, wires, electric supply lines or works	„ s. 14.
„ placing works near sewers, pipes, etc., or other works	„ s. 15.
„ placing works near telegraph lines, etc.	„ s. 17.
„ power of placing aerial lines	„ ss. 13(3), 18.
„ non-licensee transmitting or using energy	„ s. 30.
Power to fix on private building or land support, stay or strut for aerial line	„ s. 13(2).
Powers of telegraph authority when exercisable by licensee, etc.	„ s. 51.
Compensation for damage	„ s. 19.
Supply of energy, obligation of licensee as to	„ s. 22, Sch., cls. IV to IX.
„ charges for, to be made without undue preference	„ s. 23, Sch., cls. X to XII.
„ meter; provisions as to; "correct" meter defined	„ s. 26.
„ power of licensee to discontinue in certain cases	„ s. 24.
„ outside area of supply	„ s. 27.
Control or interference by licensee with use of energy	„ s. 21.
Power of licensee to enter on premises, etc.	„ s. 20.
Protection of railways, tramways, canals, etc., and telegraphic, telephonic or electric signalling lines	„ ss. 31, 32.
Electric supply lines not to be connected with earth except as prescribed	„ s. 34.
Accidents, notice of and inquiry into	„ s. 33.

ELECTRICITY—*concl'd.*

## 3. Penalties.

Theft of energy . . . . .	Act 9, 1910, s. 35.
Maliciously wasting energy or injuring works . . . . .	" s. 40.
Negligently wasting energy or injuring works . . . . .	" s. 46.
Unauthorized supply or illegal transmission of energy by non- licensees . . . . .	" ss. 41, 43.
Defective supply or contravention of provisions of Act by licensee . . . . .	" s. 42.
Interference with meters or licensee's works and improper use of energy . . . . .	" s. 44.
Public lamps; maliciously extinguishing . . . . .	" s. 45.
Breach of provisions of Act, order or license . . . . .	" s. 47.
Penalties where energy supplied by or works belong to Govern- ment . . . . .	" s. 49.
Saving of further liabilities . . . . .	" s. 48.
Restriction on prosecution . . . . .	" s. 50.

## 4. Miscellaneous.

Undertaking; whether it includes any generating station to be declared in license . . . . .	" s. 3(2)(d) (ii).
Exemption of electric supply lines, apparatus, etc., from seizure, etc., under process of Civil or Insolvency Courts . . . . .	" s. 25.
Non-licensees, restrictions on supply, transmission and use of energy by . . . . .	" ss. 23 to 30.
Advisory Boards; constitution and powers of; fees and ex- penses to be paid to members of . . . . .	" s. 35.
Electric Inspectors; appointment and powers of, appeals from decisions of . . . . .	" s. 36.
" " delegation of certain functions of Local Government to . . . . .	" s. 55.
Rules . . . . .	" ss. 37, 38.
Arbitration; provisions for . . . . .	" s. 52.
Notices, orders, etc.; service of . . . . .	" s. 53.
Recovery of fees and other sums under Act . . . . .	" s. 54.
Bar to suit or proceeding for thing done in good faith under Act . . . . .	" s. 56.
Saving of terms of license or agreement duly granted or made prior to Act . . . . .	" s. 58(2).
Testing and inspection of works; plan of area of supply . . . . .	" Sch., cl. XIII to XVI.
Vessels propelled by electricity. <i>See</i> MERCHANT SHIPPING, 11 (c); INLAND STEAM-VESSLS ACT, 1884.	

*See also* MINES.

ELEPHANTS PRESERVATION ACT, 1879 . . . . .	Act 6, 1879.
" MENT) ACT, 1883 . . . . . (AMEND- (See ELEPHANT) {	Act 2, 1883.

ELEPHANT<sup>[1]</sup>

Killing, injuring or capturing elephants prohibited, except in defence of person or property or under license . . . . .	Act 6, 1879, ss. 3, 6.
Destruction of elephants prohibited, except— in defence of person or property . . . . .	Mad. Act 1, 1873, s. 2.

[1] Act 6, 1879, extends to the Sambalpur District (Bengal), Lower Burma, the Central Provinces, Coorg, and the United Provinces, and may be extended to other areas by notification.

**ELEPHANT—contd.**

Destruction of elephants prohibited, except— <i>cont.</i>	
male elephants, under license . . . . .	Mad. Act 1, 1873, ss. 2, 4.
"    "    by landholder on his own waste or forest land . . . . .	"    ss. 2, 5.
Grant of licenses to kill or capture . . . . .	Act 6, 1879, ss. 5, 6.
"    "    to shoot male elephants on Government waste or forest land . . . . . }	Mad. Act 1, 1873, ss. 7, 8.
Elephants captured, and tusks of elephants killed, by unlicensed person to be Government property . . . . . }	Act 6, 1879, s. 4.
Revenue, Police and Forest Officers may require production of license . . . . . }	"    s. 8.
Penalties . . . . . }	"    ss. 7, 8. Mad. Act 1, 1873, ss. 3, 4, 7.
Limitation of prosecutions . . . . . }	Act 6, 1879, s. 9.
Recovery of license-fees . . . . . }	Mad. Act 1, 1873, s. 9. Act 6, 1879, s. 10.

See also FOREST, & STREETS, THOROUGHFARES AND PUBLIC PLACES

EMBANKMENT ACT (BENGAL),	1873	.	.	.	.	Ben Act6,1873.
" " "	1882	.	.	.	.	Ben.Act2,1882.
" " (BURMA),	1877	.	.	.	.	Act13,1877. <sup>[1]</sup>

EMBANKMENT.

1835	Act 32 (Embankments, Orissa and Sundarbans)	1874.	Act 15, s. 6 (Laws Local Extent).
1866.	Ben Act 7 (Embankments, Orissa and Sundarbans: acquisition of land).	[ <sup>1</sup> ] 1877.	Act 13 (Embankments, Lower Burma).
1873	Ben. Act 6, ss 1, 2, 12, 13, 21, 26 to 29, Schs. B, C, D, E (Embankments; Bengal, except Orissa and Sundarbans).	1882	Ben Act 2 (Embankments; Bengal, except Sundarbans)
		[ <sup>2</sup> ] 1909.	Bur Act 4 (Embankments, Burma).

I—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A—ORISSA AND SONDARBANS	{ <ol style="list-style-type: none"> <li>1. Preliminary.</li> <li>2. Management, Construction and Maintenance.</li> <li>3. Supplemental.</li> </ol>
B.—ELSEWHERE	

## 11—BURMA

A.—GENERALLY.  
B.—LOWER BURMA

### III—NORTH WEST FRONTIER PROVINCE AND PUNJAB.

Definitions of. See WORDS AND PHRASES.

## I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

#### A.—ORISSA AND SUNDARBANS.

### 1. Preliminary.

Act 32, 1855, declared in force throughout Bengal (except Sam- balpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . .	Act 15, 1874, s. 6.
Act 32, 1885, and Ben. Act 7, 1866, repealed, except in Orissa and Sundarbans . . . . .	Ben. Act 6, 1873, ss 1, 2.

(1) Act 13, 1877, will be repealed on the coming into force of Eur. Act 4, 1909; see ss. 1, 2.

1<sup>2</sup> Bar. Act 4, 1902, will come into force when notified.

EMBANKMENT—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*A.—ORISSA AND SUNDARBANS—*contd.*1. Preliminary—*contd.*

Definition of "embankment" and "public embankment" . . . . .	Act 32, 1855, s. 2.
" " "Collector" . . . . .	" " s. 21.
" " "owner" . . . . .	Ben. Act 7, 1866, s. 10.
	" " s. 10.

## 2. Management, Construction and Maintenance.

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government . . . . .	(Or.) Ben Act 2, 1882, s. 4, 94.
Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons . . . . .	
Continued use of lands by Government, free of payment, for obtaining earth for repairs . . . . .	" " ss 5, 94.
Engineer's power to take earth, etc., for purposes of repairs . . . . .	" " ss. 34, 94.
Superintendence of public embankments entrusted to Superintendent of Embankments . . . . .	Act 32, 1855, s. 3.
Power of Superintendent to direct that embankment be taken charge of by Government officers, to remove embankment, to change line of public embankment and to make new embankment; invitation and consideration of objections, appeal, bar to jurisdiction of Civil Courts . . . . .	" ss. 4, 5.
Power of Superintendent to enlarge and maintain public embankment . . . . .	" s. 4, cl. 4.
Expense of maintaining embankment taken over from private person to be charged to him; limit to charge . . . . .	" s. 6.
Compensation payable when Superintendent enlarges, changes line of, makes new, or removes, embankment : Claim to be considered by Revenue-authorities, restrictions on resort to Civil Courts . . . . .	" s. 7, cl. 1.
Arbitration when to be resorted to . . . . .	" s. 7, cl. 2. to 9.
Procedure for arbitration . . . . .	" s. 7, cl. 10.
Power to defer payment of compensation . . . . .	" " cl. 11.
Reversal or alteration of award; reference to other arbitrators	" " cl. 12.
Dismissal of suits against Government . . . . .	" " cl. 13.
Estimated value of benefit to be set off against compensation . . . . .	" " cl. 14.
Compensation for huts, trees or crops to be settled by Collector only . . . . .	" " s. 8.
Construction of sluice in public embankment for purpose of drainage or irrigation, on application of landholders, etc. . . . .	" s. 8.
Recovery, from persons other than the applicants, of part of cost of construction of such sluice; enquiry before assessing their shares; restriction on resort to Civil Courts . . . . .	Ben. Act 7, 1866, s. 6.
Opening of sluice in public embankment . . . . .	Act 32, 1855, s. 9.
Making of temporary water-course or roadway through or over public embankment, or temporary dam in embanked river . . . . .	" s. 10.

EMBANKMENT—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*A.—ORISSA AND SUNDARBANS—*concl'd.*2. Management, Construction and Maintenance—*contd.*

Annual specifications and estimates for, and final accounts of cost of, works kept up at expense of landholders and others : preparation and examination of, disposal of objections to ; appeal, recovery of cost . . . . .	Act32,1855,s.11.
Removal of buildings situated between public embankment and river :	
Report by Superintendent to Collector, when former considers removal necessary . . . . .	„ s.12,cl.1.
Collector to invite claims to compensation . . . . .	„ s.12,cl.2.
Selection of jury to determine value of buildings and rights of claimants, award of jury ; bar to jurisdiction of Civil Courts . . . . .	„ s.12,cls. 3to5.
Notice to parties to receive amount awarded and remove buildings . . . . .	„ s.13.
Removal by Collector in default of parties, recovery of cost ; penalty for obstruction . . . . .	„ ss.14,15.
Power of Superintendent of Embankments or Engineer to begin work immediately in case of grave and imminent danger to life or property, payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary . . . . .	(Or.)Ben.Act12,1882,ss. 25,26,92,93.
Acquisition of land for purposes of Act :	
Application of Land Acquisition Act . . . . .	
Interest payable on amount of compensation . . . . .	
No compensation payable when Collector has not received same from person whose lands benefited . . . . .	Ben.Act7,1866,s.1.
Power of Collector, after enquiry, to charge cost of acquisition on owners of lands benefited by construction, etc., of public embankment, restrictions on resort to Civil Courts, what included in cost of acquisition ; recovery of cost . . . . .	„ ss 2to5.
Act not to affect existing obligation to give land gratuitously or to pay for land acquired under it . . . . .	„ s 9.

## 3. Supplemental.

Disposal of land no longer required for purposes of Act . . . . .	„ s.7.
Penalty for unauthorised interference with public embankment or water-course . . . . .	
„ unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in notified tract . . . . .	(Or.)Ben.Act2,1882,ss.76, 94.
„ wilful damage to embankment by cutting, etc. . . . .	Act32,1855,s.16.
„ wilful damage to public embankment by making obstruction, etc. . . . .	„ s.17.
Jurisdiction of Magistrates ; appeal from their orders . . . . .	„ ss.18,20.
Delegation of powers of Collector to Deputy Collector ; appeal from order of Deputy Collector . . . . .	Ben.Act7,1866 s 8.

EMBANKMENT—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

## B.—ELSEWHERE.

## 1. Preliminary.

Ben. Act 6, 1873, repealed, except ss. 12, 13, 21 (proviso), 26 to 29, and Schs. B, C, D, E	Ben. Act 2, 1882, s. 2, Sch. I.
Ben. Act 6, 1873, ss. 12, 21, 26, amended	" s. 2, Sch. II.
Definitions	" s. 3

## 2. Management, Construction and Maintenance.

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government	Ben. Act 6, 1873, Sch. D.
Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons	Ben. Act 2, 1882, ss. 2, 4, Sch. I.
Continued use of lands by Government, free of payment, for obtaining earth for repairs	" s. 5.
Execution of works at instance of Collector:	
Transfer of embankment or water-course to charge of Government officers, removal or alteration of embankment or	
ing with drainage:	
Estimates, plans, specifications and map to be prepared, and notice issued, by Collector	" ss. 7 to 9, Sch. III.
Enquiry into objections	" s. 10.
Order after enquiry; reference to Commissioner, Board of Revenue and Local Government for sanction to execution of work; power of Local Government to dispense with reference to higher authority	" ss. 11 to 15.
Power of Collector to require that alteration of road or construction of water-course under or through road be carried out by person in charge of road; carrying out of work by Government officers in default of such person; expenses by whom to be borne	" s. 17.
	" s. 18.
Removal by Collector of trees or buildings situated between public embankment and river; acquisition of land for construction, etc., of embanked tow-path; application of Land Acquisition Act	" s. 19.
Reference by Collector to Commissioner where works or lands situated in different districts	Ben. Act 6, 1873, s. 21, prov. Ben. Act 2, 1882, s. 2, Schs. I, II.
Appointment and functions of Embankment Committee; conduct of business; reference to Commissioner when Collector differs from Committee	" s. 20.
	" ss. 21 to 24, 90(b).

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—ELSEWHERE—*contd.*

2. Management, Construction and Maintenance—*contd.*

Procedure in case of grave and imminent danger to life or property :

Power of Collector or Engineer to begin work without completing enquiries ; notice to be given when land situated in another district ; payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary . . . . .	Ben. Act 2, 1882, ss. 25 to 27, 29.
Power of Engineer to repair and maintain public embankments, public water-courses, etc. . . . .	" s. 30
Making of temporary road-way or water-course over or through public embankment, or temporary dam in embanked river or public water-course, on application to Engineer . . . . .	" s. 31.
Opening and shutting of sluice in public embankment . . . . .	" s. 32
Engineer's powers of entry, survey, etc. : notice of entry ; payment to be made for damage done . . . . .	" s. 33.
Engineer's power to take earth, etc., for purposes of repairs ; compensation for crops ; acquisition of land . . . . .	" ss 34 to 36.
Engineer's powers subject to control of Collector . . . . .	" s. 28.
Application of Land Acquisition Act when land required for purposes of Act . . . . .	" s. 37.
Acquisition of land and earth in pursuance of Ben. Act 2, 1882, s. 25 or s. 30, in cases of emergency, without resorting in the first instance to the Land Acquisition Act, compensation . . . . .	Ben. Act 6, 1873, ss. 12, 13, 26 to 29, Schs. B, C, Ben. Act 2, 1882, s. 2, Schs. I, II.
Compensation for injury caused in execution of Act :	
When claimable . . . . .	Ben. Act 2, 1882, s. 38.
Limitation of claims . . . . .	" s. 39.
Procedure for determining amount and person to whom payable ; matters to be considered . . . . .	" ss. 40, 41.
Cost of works .	
To be paid, in the case of certain embankments, wholly or partly by Government . . . . .	Ben. Act 6, 1873, Schs D, E, Ben Act 2, 1882, ss 2, 42 to 46, Sch. I.
Procedure when payment to be made by zamindar :	
Specifications and estimates to be prepared by Engineer and sent to Collector . . . . .	Ben. Act 2, 1882, ss 47 to 49.
Notice of such specifications and estimates ; disposal of objections . . . . .	" s. 50.
Accounts of actual expenses ; certificates and statements as to lands benefited, etc. . . . .	" s. 51.
Notice of such accounts, certificates and statements ; disposal of objections . . . . .	" s. 52
Collector to make an order specifying total sum payable ; order when to be served on persons liable to pay . . . . .	" s. 53.
Zamindar's liability to pay . . . . .	Ben. Act 6, 1873, Sch. E, Ben Act 2, 1882, ss 2, 51, 54, Sch. I.
Recovery by zamindar or tenure-holder of share of cost apportioned to under-tenant . . . . .	Ben. Act 2, 1882, ss. 55, 74.



EMBANKMENT—*contd.*I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*concl'd.*B.—ELSEWHERE—*concl'd.*2. Management, Construction and Maintenance—*concl'd.*Procedure when payment to be made by zamindar—*cont'd.*

Notice of amount payable and of apportionment thereof between zamindars; procedure for making apportionment; amount apportioned how payable; interest chargeable	Ben. Act 2, 1882, ss. 56 to 62.
Alternative power of apportioning estimated expenditure for a series of years; notice; disposal of objections; amount apportioned how payable, interest chargeable	„ ss. 63 to 67.
Final order of apportionment, specifying estates, sums pay- able, dates of payment, etc.; making, and giving notice of, order	„ ss. 68, 69.
Procedure for recovery of sums payable	„ ss. 70, 73.
Separate liability, etc., when separate account opened under Act II, 1859, Ben. Act 7, 1876, section 70, or Ben. Act 9, 1880	„ s. 71.
Sums payable first charge on estate; charge not avoided by sale and joint liability not affected by partition of estate	„ s. 72.

## 3. Supplemental.

Disposal of land no longer required for purposes of Act; appli- cation of proceeds	„ s. 87.
Penalty for obstructing person in execution of Act	„ s. 75.
„ unauthorised interference with public embankment or water-course	„ s. 76(a).
„ unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in noti- fied tract	„ ss. 76(b)
„ unauthorised cutting through or destroying public	„ s. 77.
„ of title	„ s. 78.
Removal of obstruction, or repair of damage, on conviction of offender	„ s. 79.
Publication of proclamations and notices	„ s. 80.
Service of notices and orders	„ s. 81.
Powers of Collector and Commissioner for taking evidence	„ s. 82.
Mistakes in form not to invalidate proceedings	„ s. 83.
„ of Collector to Deputy Collector	„ s. 83.
„ of Local	„ ss. 84 to 86, 88, 90(c).
Jurisdiction of Magistrates	„ s. 89.
Rules, making and publishing of	„ s. 90.
Act not to apply to embankments, lands or water-courses which are subject to certain other Acts	„ s. 91.

## II.—BURMA.

## A.—GENERALLY.

Burma Embankment Act, 1909, to come into force on notifi- cation	[ <sup>1</sup> ] Bur. Act 4, 1909, s. 1.
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[<sup>1</sup>] Bur. Act 4, 1909, will come into force when notified

EMBANKMENT—*concl'd.*

II.—BURMA—*cont'd.*

A.—GENERALLY—*cont'd.*

Definitions . . . . .	Bur. Act 4, 1909, s. 3.
Power to impress labour and take materials when speedy execution of work required to prevent loss of life or extensive damage to property; headmen of villages, duties of . . . }	" s. 5.
Preparation and revision of list of labourers . . . . .	" s. 4.
Payments to be made for labour impressed and materials taken . . . . .	" s. 6.
Compensation to be paid for damage done in taking materials . . . . .	" s. 7.
Penalty for failure to furnish labourers or to labour . . . . .	" s. 8.
Penalty for grazing, trespass, cutting of trees, etc., on embankment, etc. . . . . }	" ss. 9, 10.
Removal of dyke, embankment, etc., constructed, etc., without permission . . . . . }	" s. 11.
Embankment Officers and certain other persons deemed public servants . . . . . }	" s. 12.
Power to make rules . . . . .	" ss. 13, 14.

B.—LOWER BURMA.

Definition of "embankment" and "Embankment Officer" . . . . .	[ <sup>1</sup> ] Act 13, 1877, s. 2.
Power to impress labour and take materials when speedy execution of work required to prevent loss of life or extensive damage to property . . . . . }	" s. 3.
Preparation and revision of list of labourers . . . . .	" s. 4.
Payments to be made for labour impressed and materials taken . . . . .	" s. 5.
Compensation to be paid for damage done in taking materials . . . . .	" s. 6.
Penalty for grazing, trespass, cutting of trees, etc., on embankment, or obstructing drain or sluice connected with embankment . . . . . }	" s. 7.
Embankment Officers and others deemed "public servants" . . . . .	" s. 8.

III.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

Embankments to be under control of District and Local Boards . . . . .	Act 20, 1883, ss. 20, 21.
EMIGRATION ACT (INDIAN), 1908 . . . . .	Act 17, 1908.

EMIGRATION.

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES.

B.—TO LABOUR-DISTRICTS OF ASSAM

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES.

1. Preliminary.

Act 17, 1908, extends to whole of British India . . . . .	Act 17, 1908, s. 1.
" " does not apply to Government vessels . . . . .	" s. 108.
" " applies to emigration of natives of India by sea under agreement to labour for hire in countries beyond India other than Ceylon or Straits Settlements . . . . . }	" 2( <i>1</i> )( <i>iv</i> ).

[<sup>1</sup>] Act 14, 1877, will be repealed on the coming into force of Bur Act 4, 1909

EMIGRATION—*contd.*A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*contd.*1. Preliminary—*contd.*

Power to exempt from Act natives of India emigrating by sea	Act 17, 1908, s. 103.
Settlements	
Application of Act to—	
emigration from British Indian ports to French and Dutch Colonies under certain Conventions	" s. 104.
proceedings in British India connected with emigration from French Indian ports to French colonies under Convention	" s. 105.
Prohibition of departure by land of native of India under agreement to labour for hire in country beyond sea; exceptions; penalty	" s. 106.
Power to declare Act inapplicable to natives of India engaged for Her Majesty's Government to labour for hire in any country beyond the sea	" s. 107.
Ports from which emigration lawful	" s. 3.
Countries to which emigration lawful	" s. 4, Sch. I.
Power of Governor General in Council—	
to prohibit emigration to specified country	" s. 5 (sub. Act 14, 1910, s. 2).
to revoke such prohibition	Act 17, 1908, s. 7.
Power of Local Government to suspend emigration to specified country pending reference to Governor General in Council	" s. 6.
Power of Local Government to prohibit emigration from its territories	" s. 8.
Notifications under ss. 5 to 8 not to affect prior Acts, etc.	" s. 9.
Definitions	" s. 2.

## 2. Protection of Emigrants.

## (1) Official Supervisors :

Emigration Agent; appointment of, by foreign country, subject to approval of Local Government	" s. 10.
"    "    how remunerated	" s. 11.
Protector of Emigrants; appointment of, by Local Government; his status, etc.	" s. 12.
"    "    general duties of	" s. 13.
Medical Inspector of Emigrants; appointment of, by Local Government; his status	" s. 14.
Facilities to be afforded to Protector and Medical Inspector	" s. 15.

## (2) Recruiters :

Licensing of	" ss. 16(1), (3), 17, 18, Sch. II.
Countersignature of license by District Magistrate	" ss. 19 to 21.
Unlicensed persons not to act as	" s. 16(2).

EMIGRATION—*contd.*A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*contd.*2. Protection of Emigrants—*contd.*(2) Recruiters—*contd.*

To have and use statement of terms of agreement they are authorised to offer to emigrants . . . . . }	Act 17, 1903, s. 22.
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To provide accommodation for emigrants pending their registration, etc., official control over places of accommodation }	" s. 23.
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(3) Registration of emigrants and execution of agreements to emigrate . . . . . }	" ss. 24 to 27, 31 to 36.
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Power to refuse registration of married woman or dependent . }	" ss. 28 to 30.
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Persons of or over 16 may execute agreement . . . . . }	" s. 33.
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Power of parent or guardian to make agreement on behalf of minor . . . . . }	" s. 30.
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## (4) Emigration depôts

Establishment and licensing of . . . . . }	" ss. 37, 38.
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Inspection of, and reports as to . . . . . }	" ss. 39, 40.
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Isolation in, or removal from, of emigrants suffering from infectious disease, recovery of expenses from Emigration Agent . . . . . }	" s. 41.
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Conveyance of emigrants to . . . . . }	" ss. 42, 43.
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Report of arrivals at . . . . . }	" s. 44.
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Medical inspection on arrival at . . . . . }	" s. 45.
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## (5) Compensation to emigrants for ill-treatment, etc. :

Power to order Emigration Agent to pay— compensation and expenses, when emigrant has been ill-treated, etc., on journey . . . . . }	" s. 48.
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expenses of return journey of emigrant and dependents to their home, with compensation, in cases of irregularity in recruitment, etc. . . . . }	" ss. 46, 47.
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Power for Protector of Emigrants to make such payments and recover from Emigration Agent . . . . . }	" s. 49.
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## (6) Emigrant-vessels :

Licensing and survey of . . . . . }	" ss. 50 to 52.
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Accommodation required on board . . . . . }	" s. 53.
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Space required for each emigrant . . . . . }	" s. 54.
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Provisions, clothing, fuel and water for emigrants . . . . . }	" ss. 55, 57.
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Surgeon, medical attendants and medical stores . . . . . }	" ss. 56, 57.
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Bond to be executed by master . . . . . }	" s. 58.
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Seasons in which vessels may leave India . . . . . }	" s. 60.
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Scale of probable lengths of voyages for purposes of Act ; power to alter scale . . . . . }	" s. 102, Sch. III.
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Embarkation of emigrants . . . . . }	" ss. 59, 61 to 65.
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" " fee payable by Agent to Protector . . . . . }	" s. 68.
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Certificates from Protector and Agent to be carried by . . . . . }	" s. 66.
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Copies of Act and rules to be kept on board . . . . . }	" s. 67.
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Master to see to observance of Act and rules . . . . . }	" s. 69.
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" to take emigrant's pass on embarkation and return it to him before disembarkation . . . . . }	" ss. 62, 70.
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EMIGRATION—*contd.*A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*concl'd.*2. Protection of Emigrants—*concl'd.*(6) Emigrant-vessels—*cont'd.*

## Vessels sailing from Calcutta :

To leave within 24 hours of embarkation . . . . .	Act 17, 1903, s. 71.
To be towed to sea . . . . .	" s. 72.
Landing of sick emigrants at Diamond Harbour . . . . .	" s. 73.
Landing of all emigrants at Diamond Harbour, if cholera appears . . . . .	" s. 74.

## 3. Miscellaneous Provisions.

Provisions for the departure of natives of India by sea out of India for purpose of working as artisan or for purpose of any exhibition, etc.; service in place of public resort, or domestic service . . . . .	" ss. 75 to 80.
Power of Governor General in Council to make rules; publication of rules . . . . .	" s. 81.
Offences and penalties . . . . .	" ss. 82 to 96.
Initiation of prosecutions . . . . .	" s. 97.
Defences to charge of desertion . . . . .	" s. 98.
Power of Customs-officers to search and detain vessels for prevention of offences . . . . .	" s. 99.
Power to appoint Magistrates . . . . .	" s. 100.
Power of Protector to institute suit against Emigration Agent . . . . .	" s. 101.

## B — TO LABOUR-DISTRICTS OF ASSAM.

## 1. Preliminary.

Local extent of Act 6, 1901 . . . . .	Act 6, 1901, s. 1.
Definitions . . . . .	" s. 2.
Power of Local Government to prohibit recruitment, etc., either absolutely or otherwise than in accordance with specified provisions of Act 6, 1901 . . . . .	" s. 3.
Officers : power of Local Government to appoint, and to declare areas for exercise of their functions . . . . .	" s. 4(1).
" duties of Assistant Inspectors . . . . .	" s. 219.
" powers of, exercisable from time to time . . . . .	" s. 220.
" to be " public servants " under Indian Penal Code . . . . .	" s. 4(2).

## 2. Labour-contracts generally.

Contract ; form and contents of . . . . .	" s. 5(1), (2), Sch. I.
" term of . . . . .	" ss. 5(3), 118.
" rate of wages to be stipulated for in . . . . .	" s. 5(4).
" unenforceable if made contrary to s. 5 . . . . .	" s. 6.
" underground labour in mine not obligatory unless specifically provided for in . . . . .	" s. 7.
" in absence of special restriction, covers labour on any estate of employer in the labour-district specified in ; bar to separation from dependants . . . . .	" s. 8.

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*2. Labour-contracts generally—*contd.*

Contract; may be made by any person of 16 or upwards; exception as to married woman whose husband or guardian objects . . . . . }	Act 6, 1901, s. 9.
„ cancellation of, in case of wrongful recruitment . . . . . }	„ ss. 10, 11.
„ „ repatriation of labourers on, <sup>escort</sup> ; recovery of expenses . . . . . }	„ ss. 12, 13.

## 3. Recruitment.

## (a) BY LICENSED CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS.

## Contractors and sub-contractors—

Licenses of, power to grant . . . . .	„ s. 14.
„ form of, and fee for . . . . .	„ s. 15.
„ term of; cancellation of, subject to appeal . . . . .	„ s. 16.
May act as recruiters . . . . .	„ s. 19.
Contractors to supply information, returns and reports to Superintendent . . . . . }	„ s. 17.
„ liability of, for acts and defaults of sub-contractors and recruiters . . . . . }	„ s. 20.
„ cancellation of license of, on cancellation of license of his sub-contractor or recruiter . . . . . }	„ s. 20(2).
„ not to be licensed as Selecting Agents . . . . .	„ s. 65.
Sub-contractor to be licensed on behalf of one contractor only . . . . .	„ s. 18.
Recruiters; contractors or sub-contractors may act as . . . . .	„ s. 19.
„ licenses of, power to grant . . . . .	„ s. 25.
„ „ to be granted on behalf of one contractor only, and for one district only . . . . . }	„ s. 25, prov.
„ „ form of, and fee for . . . . .	„ s. 26.
„ „ term of, and cancellation of . . . . .	„ s. 27.
„ „ countersignature of, by Magistrate . . . . .	„ s. 29.
„ „ power to cancel such countersignature . . . . .	„ s. 31.
„ to hold certificate signed by their contractor or sub-contractor . . . . . }	„ s. 28.
„ accommodation for labourers collected by . . . . . }	„ ss. 29(2), 30, 31.

## Contractors' depôts for labourers engaged by contractors, sub-contractors or recruiters—

Contractors to establish and maintain depôts, and to provide food, clothing and medical treatment therein for labourers . . . . . }	„ s. 21.
Inspection and supervision of depôts . . . . .	„ s. 22.
Procedure before arrival at depôt—	
Recruiter to take labourer to medical officer for examination . . . . .	„ s. 32(1).
Grant of certificate of fitness by medical officer . . . . .	„ s. 32(2).
Recruiter to take certified labourer and his dependants to Registering-officer, and to produce his license . . . . . }	„ s. 33.
Registering officer to examine certificate and license, and examine labourer and explain intended contract to him . . . . . }	„ s. 34(1).

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*3. Recruitments—*contd.*(a) B1 LICENSED CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS—*contd.*Contractors' dépôts for labourers engaged by contractors, sub-contractors or recruiters—*contd.*Procedure before arrival at dépôt—*contd.*

Registration of labourer and dependants; special provisions as to women	{	Act 6, 1901, s. 34(2), (3), (4).
Repatriation of labourers whose registration is refused; escort, recovery of expenses	}	" s. 35.
Copy of registered particulars to be given to labourer	.	" s. 36.
Copy of registered particulars and original medical certificate to be sent to Superintendent	}	" s. 37.
Fee for registration	.	" s. 38.
Recruiter not to remove labourer to dépôt, or from Registering-officer's jurisdiction, until registered	}	" s. 39.
Conveyance of labourer to dépôt; labourer and dependants to be provided with food and lodging	}	" ss 40, 41.

## Procedure at dépôt—

Contractor to report arrival of labourer	.	" s. 42.
Medical Inspector to examine labourers and dependants, and give certificate to Superintendent	}	" s. 43.
Labourer when to execute labour-contract	.	" s. 44.
Superintendent to explain labour-contract to labourer, and to attest and register it and give copies to labourer and employer	}	" s. 45.
Procedure where employer requires further medical certificate prior to execution of labour-contract	}	" s. 46.
Fee where such further certificate is given by a medical officer of Government	}	" s. 47.
Power to cancel labour-contract in certain cases; repatriation of, and compensation to labourer, labourer entitled to be fed, lodged, clothed and medically treated until he can return home; provision for dependants and relatives	}	" ss. 48 to 50.
Compensation to labourer or dependant ill-treated on journey to dépôt	.	" s. 51.
Procedure when dependant is unfit to proceed to labour-district	}	" ss. 52, 53.
Payment by Superintendent of expenses under sections 48 to 53, and recovery from contractor	}	" s. 54.

## Hospital dépôts—

Power of Local Government to establish	.	" s. 23.
" " " require contractors to contribute towards maintenance of	}	" s. 24(1).
To be under charge of medical officer appointed by Local Government	}	" s. 24(2).
Power of Medical Inspector to direct transfer of labourer from contractor's dépôt to	}	" s. 24(3).

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*3. Recruitment—*contd.*(a) BY LICENSED CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS—*contd.*

Journey from contractor's depôt to labour-district—

Labourers to be accompanied by contractor's agent, holding  
 certificate from Superintendent, agent to carry way-bill and  
 carry out instructions contained therein . . . }

Act 6, 1901, s. 53.

## (b) BY CERTIFIED GARDEN-SARDARS UNDER CONTROL OF LOCAL AGENTS.

Garden-sardars—

Certificate of; power of employer to grant and cancel . . .	s. 56(1).
„ employment under, to be deemed employment under labour-contract . . . }	„ s. 56(2).
„ form and content of . . .	„ s. 57.
„ countersignature of, by Inspector or Magistrate . . . }	„ ss. 58, 59, 61.
„ grant of fresh certificate . . .	„ s. 60.
„ when to come into force; currency limited to one year . . . }	„ s. 61.
„ cancellation of . . .	„ s. 63.
Accommodation to be provided by, for labourers; inspection of accommodation; sanitary arrangements . . . }	„ s. 62.
Power of local agents to prosecute . . .	„ s. 66.

Local Agents—

Name of, may be specified in garden-sardar's certificate . . .	„ s. 57(2).
Licenses of, power to grant . . .	„ s. 64(1).
„ „ cancel, subject to appeal . . .	„ s. 67.
To furnish information and returns . . .	„ s. 64(2).
Not to be licensed as selecting agents . . .	„ s. 65.
Power of, to prosecute garden-sardars . . .	„ s. 66.

Selecting Agents—

Power to grant licenses to; duration and cancellation of licenses . . . }	„ s. 65.
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Procedure on recruitment by garden-sardars—

Garden-sardar to appear before Registering-officer, with labourer and dependants . . . }	„ s. 68.
Registering-officer to examine certificate and examine labourer and explain intended contract to him . . . }	„ s. 69(1).
Registration of labourer and dependants . . .	„ s. 69(2).
Medical examination before registration; power to refuse registration . . . }	„ s. 70.
Fee for registration . . .	„ s. 71.
Labour-contract when to be executed . . .	„ s. 72(1).
„ „ signature to; explanation of, to labourer . . .	„ s. 72(2).
„ „ registration of; copy of, to be given to labourer and to garden-sardar or local agent . . . }	„ s. 72(3).
„ „ compensation to labourer where garden- sardar neglects to execute . . . }	„ s. 72(4).



EMIGRATION—*contd.*B.—10 LABOUR-DISTRICTS OF ASSAM—*contd.*3. Recruitment—*contd.*(b) BY CERTIFICATED GARDEN-SARDARS UNDER CONTROL OF LOCAL AGENTS—*contd.*Procedure on recruitment by garden-sardars—*contd.*

Procedure where employer requires medical certificate prior to registration . . . . .	Act 6, 1901, s. 73.
Fee when such certificate is given by a Medical Officer of Government . . . . .	" s. 74.
Garden-sardar not to remove labourer to labour-district until labour-contract executed . . . . .	" s. 75.
" " to accompany labourers to labour-district or send competent person with them; way-bill . . . . .	" ss. 76, 78, 79.
" " no restriction on number of persons engaged by . . . . .	" s. 77.
" " to provide labourers and dependants with food and lodging throughout journey to labour-districts . . . . .	" s. 80.
When labourer or dependant ill-treated on journey, power of Magistrate to order compensation or to cancel labour-contract and order payment of expenses . . . . .	" s. 81.
Payment by Magistrate of sums ordered under s. 81, and recovery thereof from garden-sardar . . . . .	" s. 82.
Medical examination of labourers and dependants en route to labour-district; detention of any unfit to proceed, disposal of others; payment of expenses by employer . . . . .	" ss. 83 to 86.
Right of employer to procure cancellation of labour-contract on payment of expenses of repatriation, with compensation . . . . .	" s. 87.
Consequential cancellation of contracts of relatives and dependants . . . . .	" s. 88.
Payment of cost of escort when labour or dependant repatriated . . . . .	" s. 89.
Power of Local Government to dispense with or relax any of the foregoing requirements in certain cases . . . . .	" s. 91 (am. Act 11, 1903, s. 2).

## (c) BY GARDEN-SARDARS UNDER PERMIT.

Power of Local Government to declare that specially employed garden-sardars may engage labourers on behalf of their employers and assist them to emigrate to labour-district . . . . .	" s. 90.
Permits to be held by such garden-sardars; grant of, form and contents of; countersignature of, by Inspector or Magistrate . . . . .	" s. 90, cl. (a) to (d).
Engagement of labourers by such garden-sardars: reports to be made by sardars; escort for labourers . . . . .	" s. 90, cl. (e) to (g).
Duration and cancellation of permits . . . . .	" s. 90, cl. (h), (i).
Power of Local Government to dispense with or relax any of the foregoing agreements in certain cases . . . . .	" s. 91 (am. Act 11, 1908, s. 2).
Certain provisions of Act to apply to transport and employment of labourers recruited by garden-sardars under permit and not bound by labour-contracts . . . . .	" s. 93.

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*3. Recruitment—*contd.*

## (d) OTHER RECRUITMENT.

Act 6, 1901, s. 92.

## 4. Transport to Labour-districts.

Prescribed routes to be followed, and rules observed . . . . .	„	s. 94.
Transport by sea not covered by Act 6, 1901 . . . . .	„	s. 95.
Transport by river—		
Vessels carrying twenty or more passengers to be licensed; } power of exemption . . . . . }	„	s. 96.
Application for, and grant of, such license, fee . . . . .	„	ss. 97 to 99.
Power of Embarkation Agent to limit number of passengers on } particular voyage . . . . . }	„	s. 100.
Master of vessel to keep prescribed lists and make prescribed } returns and reports . . . . . }	„	s. 101.
Prescribed provisions, clothing, officers, cooks and attendants to } be carried . . . . . }	„	s. 102.
Medical officer of vessel, licensing and removal of . . . . .	„	s. 103.
Power of Embarkation Agent to order immediate departure of } vessel, if delayed . . . . . }	„	s. 104.
Way-bills to be carried, and labourers checked by them, copy to } be sent to Magistrate of labour-district . . . . . }	„	s. 105.
Labourers not to leave vessel before arrival at destination; } exceptions . . . . . }	„	s. 106.
Master to stop vessel at appointed places, and report to Magis- } trate there . . . . . }	„	s. 107.
Power of any Magistrate—		
to inspect vessel, and to require information . . . . .	„	s. 103.
to regulate communication between vessel and land . . . . .	„	s. 109.
to detain vessel, to depute medical officer to inspect passen- } gers, to detain passengers suffering from infectious disease, } and labourers and dependants unfit to proceed, and to detain } vessel for cleansing . . . . . }	„	ss. 111 to 112.
to detain passengers carried in excess of authorized number . . . . .	„	s. 113.
Magistrates to report infractions of Act or rules, and may detain } vessels until defects remedied . . . . . }	„	s. 114.
Power to authorize officers to perform functions of Magistrates } under sections 107 to 114 . . . . . }	„	s. 115.
Power of Local Government to make rules as to disembarkation, } inspection and accommodation of labourers and dependants, } forwarding of labourers to destination, and closing and return } of way-bills . . . . . }	„	s. 115.

## 5. The Labour-districts.

Annual rate payable by employers: when payable; amount . . . . .	„	s. 117.
Local labour-contracts—		
For term not exceeding one year—		
Power to employer to make . . . . .	„	s. 118 (1).

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*5, The Labour-districts—*contd.*Local labour-contracts—*contd.*For term not exceeding one year—*contd.*

Inspector to register, and to give copy to labourer and employer . . . . .	Act 6, 1901, s. 118(2).
Verification and cancellation of . . . . .	" ss. 119, 120.
Fee payable to Inspector . . . . .	" s. 121(4).

## For term not exceeding four years—

Power of employer to make, before Inspector or Magistrate . . . . .	" s. 121(1), (2).
Inspector or Magistrate to register, and to give copy to labourer and employer . . . . .	" s. 121(3).
Fee payable to Inspector . . . . .	" s. 121(4).

## Returns and inspections—

Employers to keep registers of employes and dependants, and make returns to Inspector . . . . .	" s. 122(1).
Powers of Inspector as to such registers and returns . . . . .	" s. 122(2).
Power of Inspector or Magistrate to inspect lands, houses and labourers, to call for copy of labour-contract, and to make inquiries . . . . .	" s. 123.

## Regulation of labour—

## Schedule of daily tasks—

preparation and alteration of . . . . .	" s. 124(1).
filing, translation and inspection of . . . . .	" ss. 124(2), 127(2).
revision of, by Inspector, subject to appeal to Committee . . . . .	" ss. 126, 127.
Minimum payment for daily task . . . . .	" s. 124(3).
Limitation on days and hours of work . . . . .	" s. 125(1).
Right of labourer to minimum daily wage . . . . .	" s. 125(2).
Monthly payment of wages . . . . .	" s. 125(3).
Subsistence-allowance for weekly labourers . . . . .	" s. 128.

## Incapacity for labour—

Power of Inspector to suspend contract of labourer temporarily unfitted for labour, and to order payment of subsistence-allowance . . . . .	" s. 129.
Subsistence-allowance to labourer absent from sickness . . . . .	" ss. 129, 130, 131(3).
Discharge of labourer permanently incapacitated, and determination of his contract; payment of compensation . . . . .	" s. 131.

## Accommodation and supplies for labourers—

Provision of house-accommodation, water-supply and sanitary arrangements . . . . .	" s. 132.
Provision of food-grain at reasonable price . . . . .	" s. 133.
" rations, and deduction of cost from wages . . . . .	" s. 134.
Official inquiry as to whether rules or orders made under ss. 132 to 134 have been obeyed . . . . .	" s. 136.
Provision of hospital accommodation and medical treatment . . . . .	" s. 135.

EMIGRATION—*contd.*B—TO LABOUR-DISTRICTS OF ASSAM—*contd.*5. The Labour-districts—*contd.*

## Localities unfit for residence of labourers—

Committee of inquiry where estate considered unfit for residence of labourers—

Summoning of, at instance of Inspector or District Magistrate . . . . . } Act 6, 1901, s. 137(1), (2).

Constitution of . . . . . } „ s. 137(2), (3).

Summoning of, by direction of Local Government . . . . . } „ s. 138.

Proceedings of . . . . . } „ s. 139.

Finding of, and consequences of finding . . . . . } „ s. 140.

Power of Local Government to call for proceedings of, and to record finding where Committee is not unanimous . . . . . } „ s. 141.

Inquiry by medical officer where excessive mortality has occurred—

Power to depute medical officer to inquire and report . . . . . } „ s. 142.

Proceedings of such officer . . . . . } „ s. 143.

Order thereon by Local Government; effect of order . . . . . } „ s. 144.

Certificate by Inspector where locality has again become fit for residence of labourers, grant and effect of . . . . . }

„ s. 145.

Complaints made by labourers—

Facilities for laying complaints before Inspector or Magistrate . . . . . } „ s. 146.

Inspector or Magistrate how to proceed when complaint is made, or when he considers that there is ground for complaint . . . . . } „ s. 147.

Procedure where complaint found to be untrue, frivolous or vexatious: compensation to employer . . . . . } „ ss. 148, 149.

Procedure where complaint discloses grounds for further proceedings . . . . . } „ s. 150.

Arrears of wages—

Power of Magistrate to enforce payment of arrears, and to award compensation . . . . . } „ ss. 151, 152.

Determination of labour-contract—

By cancellation (local labour-contracts) . . . . . } „ ss. 110, 120.

When labourer discharged permanently incapacitated . . . . . } „ ss. 131, 158.

By cancellation, when employer or his agent in fault . . . . . } „ s. 152.

„ „ „ labourer's earnings are insufficient . . . . . } „ s. 153.

„ „ „ when contract of relative is cancelled or determined . . . . . } „ s. 154.

Endorsement or certificate of, by employer . . . . . } „ s. 155(1).

Notice of, by employer to Inspector . . . . . } „ s. 155(2).

Right of labourer to redeem unexpired portion of labour-contract; procedure; rates of payment . . . . . } „ s. 156.

Power of Inspector or Magistrate to equalize terms of contracts of husband and wife . . . . . } „ s. 157.

Repatriation—

of labourer permanently incapacitated whose contract has determined under s. 131 . . . . . } „ s. 158.

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*5. The Labour-districts—*contd.*Repatriation—*contd.*

of person not under labour-contract, or dependant, who is } permanently incapacitated . . . . . }	Act 6, 1901, s. 159.
of labourer wrongfully recruited, and of his dependants . . . . . }	„ s. 160.
of person, not under labour-contract, wrongfully recruited, } and of his dependants . . . . . }	„ s. 161.
Provision of escort . . . . .	„ s. 162.
Power to exempt labour-districts from operation of Act . . . . .	„ s. 221.

## 6. Rules under Act.

## Power of Local Government to make rules—

## as to form of, and fee payable for licenses of—

Contractors and sub-contractors . . . . .	„ s. 15.
Recruiters . . . . .	„ s. 26.
„ supply of information, returns and reports by contractors } to Superintendent . . . . . }	„ s. 17.
„ registration of labourers and dependants . . . . . }	„ ss. 34(2), 69(2).
„ „ „ „ „ fee for . . . . .	„ ss. 38, 71.
„ form and particulars of notice of arrival of labourers at } contractors' depôts . . . . . }	„ s. 42.
„ information and returns to be furnished by—	
Local Agents . . . . .	„ s. 64(2).
Selecting Agents . . . . .	„ s. 65.
„ fee for examination of labourers by medical officer of } Government . . . . . }	„ s. 74.
„ form of garden-sardars' permit . . . . .	„ s. 90, cl (a).
„ particulars to be stated in application for license to carry } passengers in vessels . . . . . }	„ s. 97(2).
„ fee for license for vessel to carry passengers . . . . .	„ s. 99.
„ number of passengers to be carried in vessel . . . . .	„ s. 100(1).
„ lists to be kept and returns and reports made by master } of vessel . . . . . }	„ s. 101.
„ provisions, clothing, officers, cooks and attendants to be } carried in vessel . . . . . }	„ s. 102.
„ disembarkation, inspection and accommodation of } labourers and dependants, forwarding of labourers to } destination, and closing and return of way-bills . . . }	„ s. 115.
„ registers of employes and dependants and returns to be } made by employers to Inspectors . . . . . }	„ s. 122(1).
„ house accommodation, water-supply and sanitary } arrangements for labourers . . . . . }	„ s. 132.
„ rationing . . . . .	„ s. 134.
generally, for carrying out purposes and objects of Act . . . . .	„ s. 163(1), (2).
Enforcement of rules at cost of person bound . . . . .	„ s. 163(1).
Power to provide penalty for breach of rules . . . . .	„ s. 163(4).
Publication of rules in Gazette . . . . .	„ s. 163(5).

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

## 7. Penalties and Procedure.

## Penalty on—

employer omitting to keep registers or make returns, keeping incorrect register, making incorrect return, or omitting to prepare, file or affix schedule of daily tasks . . . . .	Act 6, 1901, s. 185.
„ obstructing entry, inspection or inquiry or omitting to comply with requisition, made under s. 123 . . . . .	„ s. 186.
„ compelling labourer to perform labour for which he is unfit . . . . .	„ s. 186.
„ omitting to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations . . . . .	„ s. 189.
„ failing to provide hospital accommodation or medical care and treatment . . . . .	„ s. 190.
„ causing labourer to reside on estate declared unfit for residence . . . . .	„ s. 191.
„ wrongfully arresting labourer on charge of desertion. . . . .	„ s. 199.
„ . . . . .	„ s. 211.
„ of contract . . . . .	„ s. 212.
„ failing to comply with request by labourer to secure redemption of unexpired portion of contract . . . . .	„ s. 170.
garden-sardar failing to report himself to local agent, or to return to employer, or to account for money advanced . . . . .	„ s. 171.
„ or other person abandoning labourer, or removing person to labour-district, etc., before execution of labour-contract . . . . .	„ s. 172.
„ transferring labourers to contractors, etc. . . . .	„ s. 173.
„ allowing labourers recruited by contractors, sub-contractors or recruiters to share accommodation provided by him . . . . .	„ s. 174.
„ or other person failing to present way-bill or to carry out instructions entered therein . . . . .	„ ss. 168, 169.
„ unlawfully engaging emigrants . . . . .	„ s. 184.
labourer failing to execute labour-contract; payment of fine to contractor, sub-contractor, recruiter or garden-sardar . . . . .	„ s. 193.
„ deserting, or refusing to proceed, after executing labour-contract . . . . .	„ s. 193.
„ absenting himself from work . . . . .	„ s. 201.
„ deserting . . . . .	„ s. 175.
„ for habitual drunkenness or for neglect of sanitary regulations . . . . .	„ s. 176.
Local Agent or Selecting Agent working with contractor . . . . .	„ s. 177.
Master receiving passengers on board in contravention of Act . . . . .	„ s. 178.
„ fraudulently altering vessel after grant of license . . . . .	
„ proceeding on voyage without carrying prescribed provisions, clothing, officers, cooks or attendants . . . . .	

EMIGRATION—*contd.*B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*7. Penalties and Procedure—*contd.*Penalty on—*contd.*

Master disobeying order of Embarkation Agent for immediate departure of vessel . . . . .	Act 6, 1901, s 179,
„ permitting labourer to leave vessel before arrival at destination . . . . .	„ s. 180.
„ failing to stop vessel at appointed places, or to report to Magistrate there . . . . .	„ s. 181.
„ or medical officer of vessel neglecting to obey or enforce Act or rule . . . . .	„ s. 183.
recruitment in contravention of Act or notification . . . . .	„ s. 164.
Recruiter giving false information to Registering-officer . . . . .	„ s. 165.
„ removing unregistered person, or inducing registered person to go to any place other than the contractor's depot . . . . .	„ s. 166.
„ failing to provide labourer or dependant with food and lodging, or ill-treating him, award of compensation out of fine . . . . .	„ s. 167.
disobedience to order of Magistrate for regulating communication between vessel and land . . . . .	„ s. 182.
buying or selling rations furnished under s 134 to labourer . . . . .	„ s. 183.
enticing away, harbouring or employing labourer bound by labour-contract; award of fine to employer . . . . .	„ s 203.
failure to forward labour-contract to Inspector . . . . .	„ s. 203.
„ to send labourer to Inspector or Magistrate . . . . .	„ ss. 203, 210.
„ to give notice of complaint to Inspector or Magistrate . . . . .	„ s. 210.
Abetment of offence . . . . .	„ s. 213.
Unlawful absence from work: report to Inspector; inquiry by Inspector; addition of days of absence to term of labour-contract . . . . .	„ s. 192.
Desertion: report of, to Inspector . . . . .	„ s. 194.
„ apprehension of deserters; procedure by Police and Magistrate . . . . .	„ ss. 195 to 197.
„ compensation for wrongful arrest on charge of . . . . .	„ s. 199.
„ cancellation of contract after six months' imprisonment for . . . . .	„ s 200.
Return of labourer to employer, on expiry of sentence of imprisonment . . . . .	„ s. 204.
Conviction of labourer when not to operate as a release from labour-contract . . . . .	„ s 204(I).
Cancellation of portion of sentence on labourer, upon application of employer; payment of expense of forwarding labourer to employer . . . . .	„ ss. 202, 203.
Endorsement on contract of—	
term of imprisonment for certain offences under Act 6, 1901, or period of unlawful absence or desertion . . . . .	„ s. 205.
period of any other imprisonment . . . . .	„ s. 206.
Deduction of term of imprisonment from term of service under labour-contract . . . . .	„ s. 205(4).

EMIGRATION—*concl'd.*B—TO LABOUR-DISTRICTS OF ASSAM—*concl'd.*7. Penalties and Procedure—*concl'd.*

Addition of term of imprisonment to term of service under labour-contract . . . . .	Act6,1901,s.207.
Place for trial of offences . . . . .	" s 214.
Recovery, by distress and sale, of sums recoverable under Act . . . . .	" s 215.
Wages due under labour-contract a charge upon estate . . . . .	" s 216.
Owner of estate for the time being to have all rights and remedies in respect of labour-contracts . . . . .	" s 217(1).
Owner of estate not liable for breach of labour-contract after he ceases to be owner . . . . .	" s.217(2).
Application of proceeds of fines, fees and rates. . . . .	" s.218 (am.Act11, 1903,s 3).
Notifications not to affect prior Acts . . . . .	Act6,1901,s.222.
<b>EMPLOYERS AND WORKMEN (DISPUTES) ACT, 1860</b> (See PUBLIC WORKS) . . . . .	
	Act9,1860
<b>ENCUMBERED ESTATES. See INCUMBERED ESTATES.</b>	
<b>ENDOWMENT.</b>	

## 1. Charitable.

Ben Reg. 19, 1810, declared in force— throughout Bengal, except as regards the Scheduled Districts . in Ajmere (with a modification) . . . . .	Act15,1874,s 6. Reg.3,1877,s 3.
Mad Reg 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . .	Act15,1874,s.4.
Objects of Ben. Reg. 19, 1810 . . . . .	Ben.Reg 19,1810,s.16.
„ Mad. Reg. 7, 1817 . . . . .	Mad Reg.7,1817,s 15.
Superintendence of endowments for charitable purposes, and of public buildings, vested in Board of Revenue . . . . .	Ben.Reg.19,1810,s 2. Mad.Reg 7,1817,s.2.
Board to see to due appropriation of such endowments . . . . .	Ben.Reg 19,1810,s.3. Mad.Reg.7,1817,s.3.
„ provide for due repair and maintenance of public build- ings . . . . .	Ben.Reg 19,1810,s 6. Mad.Reg.7,1817,s 3.
„ recommend disposal of ruined buildings . . . . .	Ben Reg 19,1810,s 4. Mad Reg 7,1817,s 4.
„ prevent such endowments and buildings being diverted to private use . . . . .	Ben Reg 19,1810,s 5. Mad Reg.7,1817,s.5.
<b>District Agents :</b>	
Appointment of . . . . .	Ben Reg.19,1810,ss.8,9. Mad.Reg.7,1817,ss.7,8.
To obtain full information in regard to such endowments and public buildings and report misappropriations to Board ' . . . . .	Ben Reg.19,1810,s.10. Mad.Reg 7,1817,s.9.
To ascertain particulars as to existing trustees, managers or superintendents, report vacancies and nominate successors . . . . .	Ben.Reg.19,1810,ss 11to 13. Mad Reg.7,1817,ss.10to 12.
Board to appoint new trustees, etc. . . . .	Ben Reg.19,1810,s.14. Mad.Reg.7,1817,s.13.
Right of suit by interested persons not barred . . . . .	Ben Reg 19,1810,s 15. Mad.Reg 7,1817.



ENDOWMENT—*contd.*1. Charitable—*contd.*

Punishment of native servants and other persons guilty of fraud or embezzlement . . . . .	Mad.Reg.7,1817,s.16.
Ben. Reg. 10, 1810—	
repealed so far as it required the Board to provide for the due repair of public bridges, sarais and kattras . . . }	Ben.Reg.17,1816,s.16.
" so far as it related to endowments for support of mosques, Hindu temples and other religious purposes . . . }	Act20,1863,s.1. Act1,1903.
" in Assam . . . . .	Act5,1897.
" in Agra . . . . .	Act8,1884.
functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner . . . }	Reg 3,1877,s.3.
Mad. Reg. 7, 1817, repealed so far as it related to endowments for support of mosques, Hindu temples and other religious purposes . . . }	Act20,1863,s.1.
Power of Board, in transferring property of religious endowment to trustees, etc., to retain property which is devoted to secular purposes . . . }	" s.21.
Power to transfer to Municipal Council management of charitable endowments under Mad Reg 7, 1817 . . . }	Mad Act4,1884,s.26.
Act 6, 1890, extends to whole of British India, inclusive of British Baluchistan . . . }	Act6,1890,s.1
" declared in force in Santhal Parganas . . . . .	Reg 3,1872,s.3,Sch
" declared in force in Upper Burma, except Shan States . . .	Act13,1898,s.4,Sch.I.
" not to affect authority of Advocate General or Official Trustees . . . }	Act6,1890,s.15
Definition of " charitable purpose " . . . . .	" s.2.
Treasurer of Charitable Endowments .	
Appointment and incorporation of . . . . .	" ss 3,11.
Power to vest property of charitable trust in, on application . .	" ss.4,7.
Power, on application, to settle scheme for administration of property so vested in . . . }	" ss 5,7.
Such applications to be made by persons acting in administration of the trust, etc. . . . }	" s.6.
Power to transfer property from one, to another . . . . .	" s.12.
Bare trusteeship of; limitation of functions of . . . }	" ss.4(f), 8,10.
Account to be kept by . . . . .	" s.8(2).
List and abstract of accounts to be published by . . . . .	" s.9.
Power to make forms and rules for working of Act . . . . .	" s.13.
Control over Local Government by Governor General in Council . .	" s.16.
Indemnity to Government and Treasurer . . . . .	" s.14.
Suits by Advocate General, Collector, etc., relating to . . . . .	Act5,1903,ss.92,93.
Power of High Court in certain cases. See TRUST, B	
Apprenticing of child by manager of public charity. See APPRENTICE.	
Administration of the Murray Charitable Trust by the Wardens of St. John's Church . . . . .	Ben.Act2,1897.

ENDOWMENT *-contd.*

## 2. Religious.

Mosques, temples and other religious establishments in respect of which Government has right to nominate or confirm the nomination of the trustee, manager or superintendent :	
Local Government to appoint committees to take the place of the Board of Revenue and local agents . . . . . }	Act 20, 1863, ss. 3, 7, 8.
Tenure of office of such committees ; filling of casual vacancies . . . . . }	" ss. 9, 10.
Member of committee not to be also trustee, manager or superintendent . . . . . }	" s. 11.
Property of, under superintendence of Board of Revenue or local agents, to be transferred to committee ; powers of committee . . . . . }	" s. 12.
Property of, under superintendence of Board of Revenue or local agent, to be transferred to trustee, manager or superintendent . . . . . }	" s. 4.
Rights, etc., of such trustee, etc. . . . . }	" s. 6.
Appointment of manager for, on application, in case of dispute as to right of succession ; rights, etc., of such manager . . . . . }	" s. 5.
Power of Board, in making any such transfer, to retain portion of property which is devoted to secular purposes . . . . . }	" s. 21.
Trustees, etc., to keep accounts, and committee to require production of same . . . . . }	" s. 13.
Right of persons interested to sue trustee, etc., or committee ; reference to arbitration . . . . . }	" ss. 14 to 18.
In case of suit, Court may require production of accounts . . . . . }	" s. 19.
Suit not to bar criminal proceedings . . . . . }	" s. 20.
Government and its officers not to interfere further in affairs of mosque, temple or other religious establishment . . . . . }	" s. 22.
Saving of right of Government to take steps to preserve public buildings . . . . . }	" s. 23.
Saving of power of Court of Wards where ward is trustee or manager of religious endowment . . . . . }	Mad. Act 1, 1902, s. 63.
Act 20, 1863, extended to Kanara District of Bombay Presidency, with amendments . . . . . }	Bom. Act 7, 1865.
Coorg :	
Reg. 4, 1892, applies to certain temples and institutions and may be applied by notification to others . . . . . }	Reg. 4, 1892, s. 1(2), Sch.
" Funds " include cash allowances paid by Government and certain other moneys . . . . . }	" s. 2.
Funds to be under management of Committee . . . . . }	" s. 3.
Constitution of such Committee ; appointment, election, term of office, resignation and removal of members, filling of casual vacancies . . . . . }	" ss. 3 to 9.
Member of Committee not to act as manager or hold paid office . . . . . }	" s. 10.
President of Committee ; meetings of Committee . . . . . }	" ss. 11 to 14.
Appointment, duties and punishment of managers . . . . . }	" ss. 15, 16.
Accounts . . . . . }	" ss. 16, 17.
Legal proceedings by and against Committee, reference to arbitration . . . . . }	" ss. 18 to 21.
Reference of disputes to District Judge ; appeal to Judicial Commissioner . . . . . }	" s. 24.

ENDOWMENT—*contd.*2. Religious—*contd.*Coorg—*contd.*

Power of Local Government to make rules for working of Regulation . . . . .	Reg.4,1892,s.5.
Notification of appointments and rules . . . . .	" s.22.
Government and its officers not to take part in management or control of funds, temples or institutions except as provided in Regulation . . . . .	" s.23.

ENGINEERS' CERTIFICATE VALIDATION ACT, 1894 ( <i>See</i> MERCHANT SHIPPING) . . . . .	Act15,1891.
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## ENTRY AND INSPECTION.

## Powers of, in municipalities :

*See* *word*: MUNICIPALITY (*sub-headings* "The Public Health, Safety and Convenience").

*See* ANIMAL, A, ARMS, ETC., 3; BRITISH BALUCHISTAN, II, 6; CANTONMENTS (HOUSE ACCOMMODATION); ELECTRICITY, 2, EMIGRATION, A B.; EXCISE, 3(c), FOREST, 8; GOVERNMENT BUILDINGS; SALT.

EPIDEMIC DISEASES ACT, 1897 ( <i>See</i> INFECTIOUS DISEASE)	Act3,1897
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## ERRORS OF COURTS.

Government not liable for. *See* COURTS

EQUIPMENT. *See* MERCHANT SHIPPING, 7 (a).

## ESCHEAT.

Occurs when intestate leaves no kindred . . . . .	Act10,1865,s.23.
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Ben. Reg. 19, 1810, declared in force— throughout Bengal, except as regards the Scheduled Districts .	Act15,1874,s.6.
in Ajmere (with a modification) . . . . .	Reg.3,1877,s.3.

Mad. Reg. 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . .	Act15,1874,s.4.
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Superintendence of, vested in Board of Revenue . . . . .	Ben.Reg.19,1810,s.7. Mad.Reg.7,1817,s.6
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## District Agents :

Appointment of . . . . .	Ben.Reg.19,1810,ss.8,9. Mad.Reg.7,1817,ss.7,8.
To obtain full information in regard to, and report misappropriations to Board . . . . .	Ben.Reg.19,1810,s.10. Mad.Reg.7,1817,s.9.

## Ben. Reg. 19, 1810—

repealed in Assam . . . . .	Act5,1897.
" Province of Agra . . . . .	Act8,1884.
functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner . . . . .	Reg.3,1877,s.3.

ESTATE defined. *See* WORDS AND PHRASES.

ESTATES PARTITION ACT, 1897 ( <i>See</i> ARBITRATION : LAND-REVENUE, III, V; PARTITION AND UNION, ETC.; REGISTRATION OF LAND) . . . . .	Ben.Act5,1897.
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ESTOPPEL. *See* EVIDENCE, II, 4; NEGOTIABLE INSTRUMENT, 10.

## EUROPEAN BRITISH SUBJECTS

Definition of. *See* WORDS AND PHRASES.

Validation of laws made by Governor or Lieutenant-Governor in Council conferring jurisdiction over . . . . .	34-5V.c.34,s.1.
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EUROPEAN BRITISH SUBJECTS—*contd.*

Committal of, to High Court . . . . .	{ 34-5V.c.34,s.2. Act5,1898, s.447.
Power of Bengal, Bombay and Madras Councils to repeal or amend Acts validated by Act 22, 1870 . . . . .	{ 34-5V.c.34,s.3. 55-6V.c. 14,s.5.
Provisions as to trial of. <i>See</i> CRIMINAL PROCEDURE (INDIAN), 8 (6), 9 (1), 11 (1), 12 (5).	
In Aden, when triable by High Court, Bombay, and when by Resident . . . . .	{ Act2,1864,ss.21,22.
Criminal jurisdiction of Chief Court, Lower Burma, over, through- out Burma, including Shan States . . . . .	{ Act6,1900,s.8.
Criminal jurisdiction of Chief Court, Punjab, over . . . . .	Act18,1884,s.7.
Jurisdiction of Justice of the Peace over . . . . .	34-5V.c.34.
Criminal jurisdiction over, in Sindh . . . . .	Act5,1872,s.4.
Certain local High Courts not to have criminal jurisdiction over. <i>See</i> CRIMINAL PROCEDURE (INDIAN), 13.	
Inferior Courts not to have power of imposing capital punish- ment on . . . . .	{ 3-4W.4,c.85,s.46.
Provisions of Code of Criminal Procedure as to, maintained in Angul . . . . .	{ Reg.1,1894,s.30.
Saving of jurisdiction over, on Assam frontier . . . . .	Reg.2,1880,s.2.
Criminal jurisdiction over, not affected by Scheduled Districts Act . . . . .	{ Act14,1874,s.8.
How far they lose their privileges under Code of Criminal Pro- cedure on becoming vagrant . . . . .	{ Act9,1874,s.30.
<i>See also</i> EUROPEANS AND AMERICANS.	
EUROPEAN DESERTERS ACT, 1856 ( <i>See</i> DESERTION) . . . . .	Act11,1856.
EUROPEAN FORCES (INDIA) ACT, 1860 [1] ( <i>See</i> INDIAN MILI- TARY AND NAVAL FORCES) . . . . .	{ 23-4V.c.100.
EUROPEAN VAGRANCY ACT, 1874 ( <i>See</i> EUROPEAN BRITISH SUBJECTS, VAGRANT) . . . . .	{ Act9,1874.
EUROPEANS AND AMERICANS.	
Criminal proceedings against. <i>See</i> CRIMINAL LAW (INDIAN), 2, CRIMINAL PROCEDURE (INDIAN), 11 (1), EUROPEAN BRITISH SUBJECT	
In Aden, trial of, by jury . . . . .	Act2,1864,ss.24to27.
EVIDENCE ACT (INDIAN), 1872 . . . . .	Act1,1872.
„ „ AMENDMENT ACT (INDIAN) . . . . .	Act18,1872.
EVIDENCE BY COMMISSION ACT, 1859[1] ( <i>See</i> EVIDENCE, 1) {	22V.c.20.
„ „ „ „ 1885 } (See EVIDENCE, 1) {	48-9V.c.74.
EVIDENCE ON COMMISSION ACT, 1831 ( <i>See</i> EVIDENCE, 1; PRISONER (ENGLISH LAW)) . . . . .	{ 1W.4,c.22.
EVIDENCE (COLONIAL STATUTES) ACT, 1907 ( <i>See</i> Evi- dence, 1) . . . . .	{ 7Edw.7,c.16.

[1] This short title was given by 52 &amp; 60 Vict., c. 14.

## EVIDENCE.

- 1772-3. 13 Geo. 3, c. 63, ss. 40, 42, 44, 45 (Evidence for Courts in United Kingdom).
1784. 24 Geo. 3, sess. 2, c. 25, ss. 78 to 81 (Evidence for Courts in United Kingdom).
1786. 26 Geo. 3, c. 57, ss. 28, 38 (Evidence for Courts in United Kingdom).
1820. 1 Geo. 4, c. 101<sup>[1]</sup> (Divorce).
1831. 1 Will. 4, c. 22 (Evidence on Commission).
1840. 3-4 V. c. 105, ss. 66, 67.
1843. 6-7 V. c. 22<sup>[1]</sup> (Colonial legislation).
1854. 17-18 V. c. 80, s. 58 (Registration of Births, Deaths and Marriages, Scotland).
1856. 19-20 V. c. 113<sup>[1]</sup>.
1859. 22 V. c. 20<sup>[1]</sup> (Commission).
- 1867-8. 31-2 V. c. 37<sup>[1]</sup> (Documentary).
1870. 33-4 V. c. 52, s. 24 (Extradition, Foreign Tribunals).
1871. Act 4, s. 18A (Coroner).
1872. Act 1 (Evidence Act)
- „ Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. 36-7 V. c. 60, s. 5 (Extradition, Foreign Tribunals).
1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1879. Act 17, s. 10A (Dekkhan Agriculturists).
1881. 44-5 V. c. 58, s. 127 (Repeal).
1881. 44-5 V. c. 69, ss. 15, 29 (Fugitive Offenders).
1882. 45-6 V. c. 9<sup>[1]</sup> (Documentary).
- 1884-5. 48-9 V. c. 74<sup>[1]</sup> (Commission).
1887. Act 14, s. 68 (Royal Indian Marine).
1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction)
- „ Reg. 1, ss. 3, 4 (Laws, British Baluchistan)
1891. Act 18 (Bankers' Books).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. 58-9 V. c. 9<sup>[1]</sup> (Documentary).
- „ Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
1898. Act 5, ss. 467, 473, 475 (Criminal Procedure).
- „ Act 6, ss. 14, 15 (Post Office; Marks)
- „ Act 13, s. 4 (Laws, Burma).
1900. Reg. 1, s. 4 (Laws, Chittagong Hill Tracts).
1903. Act 15, s. 21 (Extradition).
1905. 5 Edw. 7, c. 15, ss. 50, 52 (Trade Mark)
1907. 7 Edw. 7, c. 16 (Colonial Statutes).
1908. 8 Edw. 7, c. 48, ss. 9, 39 (Post Office; Marks and Regulations)
- „ Act 5, s. 84 (Civil Procedure).
- „ Act 14, s. 13 (Criminal Law Amendment).
1910. 10 Edw. 7 & 1 Geo. 5, c. 32 (Registration of Births, Deaths and Marriages, Scotland).

## I.—ENGLISH LAW . . . . .

1. Taking evidence in Courts of Judicature, etc.
2. Proof and Admissibility of various Documents.

## II.—INDIAN LAW . . . . .

- 1 Preliminary.
- 2 Relevancy of Facts.
- 3 Proof
- 4 Estoppel
- 5 Witnesses
- 6 Miscellaneous Provisions.

## I.—ENGLISH LAW.

## 1 Taking evidence in Courts of Judicature, etc

- Mandamus by High Court, England, to Courts in India for taking evidence } 13G 3,c.63,ss.44,45.
- Taking of evidence in India for bill of divorce in England . . . . . 1G.4,c.101.

[1] Collective title ("Evidence Acts, 1806 to 1895") given by 59 & 60 Vict., c. 14.

EVIDENCE—*contd.*I.—ENGLISH LAW—*contd.*1. Taking evidence in Courts of Judicature, etc.—*contd.*

	1 in for 3 at	13G.3,c.63,ss.40,42,45. 24G.3,ss.2,c.25,ss.78to 81. 26G.3,c.57,s.28. 1W.4,c.22. 3-4V.c.105,ss.66,67.
Westminster and Dublin		
Taking evidence by commission, in proceedings pending before an tribunal in British dominions out of the jurisdiction of such tribunal; power of Courts to nominate examiner; power to make rules for giving effect to Acts; oath or examination of witnesses		22V.c.20. 48-9V.c.74.
Endorsement in one grouped British Possession of summons to witness on charge of offence triable in another		44-5V.c.69,s.15.
Validity of laws made by Legislatures of British Possessions for admission of evidence of persons having no religious belief		6-7V.c.22.
Foreign tribunals:		
Attendance and examination of witnesses in British dominions, and production of documents—		
in civil matters pending before		19-20V.c.113.
in criminal matters, not political, pending before		33-4V.c.52,s.24. 36-7V.c.60,s.5.
Power, by Order in Council, to extend 19 & 20 Vict. c. 113, etc., to any place to which Foreign Jurisdiction Act, 1890, applies		53-4V.c.37,s.5,Sch.I.
Admission of depositions, etc., under Fugitive Offenders Act		44-5V.c.69,s.29.

## 2 Proof and Admissibility of various Documents

Proof in Great Britain of documents signed in India	26G.3,c.57,s.38.
Proof of Royal Proclamations, Orders in Council, Orders of Privy Council, Treasury, Admiralty, Secretary of State, Board of Trade, etc., in United Kingdom or British Possession; saving of legislative powers of British Possession	31-2V.c.37. 58-9V.c.9.
Proof of documents printed under superintendence of Stationery Office	45-6V.c.9.
Admissibility and proof of extracts from and copies of register of trade-marks	5Edw.7,c.15,ss.50to52.
Proof of re-enactments passed by Legislatures of British Possessions	7Edw.7,c.16.
Proof of Post Office regulations	8Edw.7,c.48,s.36
Official mark on postal packet to be evidence of amount of post- age	8Edw.7,c.48,s.9.
Admissibility and proof of extracts from register books kept under s. 58 of the Registration of Births, Deaths and Marriages (Scotland) Act, 1854	17,18V.c.80,s.58. 10Edw.7&1G.c.5, s.32.
<i>See also</i> MERCHANT SHIPPING, 11 (b); PRISONER (ENGLISH LAW).	

## II —INDIAN LAW

## 1 Preliminary.

Act 1, 1872 (the Indian Evidence Act, 1872)—	
extends to the whole of British India	Act 1, 1872, s.1.
declared in force—	
in the Santhal Parganas	Reg. 3, 1872, s.3 Sch.

EVIDENCE—*contd.*II.—INDIAN LAW—*contd.*1. Preliminary—*contd.*Act 1, 1872 (the Indian Evidence Act, 1872)—*contd.*declared in force—*contd.*

in Angul and the Khondmals . . . . .	Reg.1,1894,s.3.
in Chittagong Hill-tracts . . . . .	Reg.1,1900,s.4.
in the Arakan Hill District . . . . .	Reg.9,1874,s.3.
in Upper Burma generally, except the Shan States (with an addition) . . . . .	Act13,1898,s.4,Sch.1.
in Kachin Hill-tracts, as regards hill-tribes . . . . .	Reg.1,1895,s.3.
in certain tracts in the Chin Hills . . . . .	Reg.5,1896,s.3.
in British Baluchistan (with an addition) . . . . .	Reg.1,1890,ss.3,4.

## Act 18, 1872 (amending the Indian Evidence Act, 1872), declared in force in—

the Santhál Parganas . . . . .	Reg.3,1872,s.3.
the Arakan Hill District . . . . .	Reg.9,1874,s.3.

## Act 18, 1891 (Bankers' Books), declared in force in—

the Santhál Parganas . . . . .	Reg.3,1872,s.3,Sch.
Upper Burma, except Shan States . . . . .	Act13,1898,s.4,Sch.1.

Act 1, 1872, applies to all judicial proceedings in or before Courts (including Courts-martial), but not to affidavits or to proceedings before an arbitrator . . . . . } Act1,1872,s.1.

Court-martial under Army Act of 1881 not subject to provisions of Act 1, 1872 . . . . . } 44-5V.c.58,s.127.

Act 1, 1872, is applicable, subject to modifications, to proceedings before Indian Marine Courts . . . . . } Act14,1887,s.68

General definitions. (*See also* WORDS AND PHRASES) . . . . . } Act1,1872,ss.3,4.

## 2. Relevancy of Facts.

Of what facts evidence may be given . . . . . } ss.5to16.

Admission; definition of . . . . . } ss.17to20.

„ in what cases it may be proved . . . . . } ss.21to23.

Confession in criminal proceeding, in what cases it may not be proved . . . . . } ss.24to30.

Admissions not conclusive proof, but may operate as estoppels . . . . . } s.31.

Statements made by persons who cannot be called as witnesses; when they are relevant facts . . . . . } ss.32,33.

Evidence of witness taken by enquiring Magistrate in proceedings under Act 14, 1908, Pt. I, when admissible at trial . . . . . } Act14,1908,s.13.

## Statements made under special circumstances; relevancy of:

Entries in book of account or public record . . . . . } Act1,1872,ss.34,35.

Statements in maps, charts or plans . . . . . } „ s.36.

„ of fact of public nature, contained in Acts or notifications . . . . . } „ s.37.

„ as to law, contained in law-book . . . . . } „ s.38.

„ how much of a statement is to be proved . . . . . } „ s.39.

## Judgments, orders and decrees of Courts of Justice:

When relevant facts and when conclusive proof . . . . . } ss.40to43.

Fraud or collusion in obtaining, or incompetency of Court, may be proved . . . . . } „ s.44.

EVIDENCE—*contd.*II.—INDIAN LAW—*contd.*2. Relevancy of Facts—*contd.*

## Opinions of third persons, when relevant.

Experts . . . . .	Act1,1872,ss.45,46.
Opinion as to handwriting . . . . .	" s.47.
" " existence of right or custom . . . . .	" s.48.
" " usages, tenets, etc. . . . .	" s.49.
" " relationship . . . . .	" s.50.
Grounds of opinion, when relevant . . . . .	" s.51.
Character when relevant . . . . .	" ss 52to55.
<i>See also 6 below; FOREST.</i>	

## 3. Proof.

Facts judicially noticeable need not be proved . . . . .	" s.56.
Facts of which Court must take judicial notice . . . . .	" s.57.
Facts admitted need not be proved . . . . .	Act5,1903,s.84.
Oral evidence :	Act1,1872,s.58.
All facts, except contents of documents, may be proved by . . . . .	" s.59.
Must be direct . . . . .	" s.60.
Documentary evidence :	
Primary evidence . . . . .	" ss.61,62,64
Secondary evidence . . . . .	" ss.61,63,65,66.
Proof of execution of document . . . . .	" ss.67to73.
Public documents :	
Definition . . . . .	" s.74.
Certified copies of, to be given on demand . . . . .	" s.76.
Proof of, by production of certified copy . . . . .	" s.77.
" in other cases . . . . .	" s.78.
Presumption as to genuineness, etc., of documents . . . . .	" ss.79to90.
Exclusion of oral by documentary evidence, saving of provisions of Indian Succession Act, 1865, as to construction of wills . . . . .	" ss 91,92to 100.
Exception in case of transaction with agriculturist in Dekkhan . . . . .	Act17,1879,s 10A(Ins. Bom Act2,1907,s.2).
Burden of proof . . . . .	Act1,1872,ss.101to111.
Birth during marriage conclusive proof of legitimacy . . . . .	" s.112.
Proof of cession of territory . . . . .	" s.113.
Court may presume existence of certain facts . . . . .	" s.114.

## 4 Estoppel.

Estoppel, when it arises . . . . .	" s.115.
" admission may operate as . . . . .	" s.31.
" of tenant . . . . .	" s.116.
" of acceptor of bill of exchange . . . . .	" s.117.
" of licensee . . . . .	" ss 116,117.
" of bailee . . . . .	" s.117.

## 5 Witnesses.

Who may testify . . . . .	" ss.118,120.
Dumb persons how to give evidence . . . . .	" s.119
Judge or Magistrate ; examination of . . . . .	" s.121.



EVIDENCE—*concl'd.*II.—INDIAN LAW—*cont'd.*5. Witnesses—*cont'd.*

## Restrictions on disclosure of—

communication made during marriage . . . . .	Act 11872, s. 122.
affairs of State, etc. . . . .	„ ss 123, 124.
professional communications . . . . .	„ ss. 126 to 129.

Magistrate, Police-officer and Revenue-officer not bound to disclose source of information as to commission of offence . . . . .	„ s 125.
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Production of certain documents cannot be compelled . . . . .	„ ss. 130, 131.
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Witness not excused from answering on ground that answer will criminate him . . . . .	„ s. 132.
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Accomplice a competent witness . . . . .	„ s. 133.
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No particular number of witnesses required for proof of any fact . . . . .	„ s. 134.
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General provisions as to examination of . . . . .	„ ss. 135, 137 to 140, 144 to 166.
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Leading questions . . . . .	„ ss 141 to 143.
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## 6 Miscellaneous Provisions.

Judge to decide as to admissibility of evidence . . . . .	Act 1, 1872, s 136.
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When improper admission or rejection of evidence is no ground for a new trial . . . . .	„ s 167.
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Foreign tribunals; attendance and examination of witnesses in British India, in criminal matters, not political, pending before . . . . .	Act 15, 1903, s 21.
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Service of summons on and examination of witnesses in British India in civil and revenue matters by certain foreign tribunals. See CIVIL PROCEDURE, 3, 11.

## Bankers' books.

## Act applies to books of—

(1) banking companies . . . . .	} Act 18, 1891, ss. 2(2), 3.
(2) partnerships and individuals notified by Local Government, and . . . . .	
(3) post office savings banks or money order offices . . . . .	

Definitions . . . . .	„ s. 2(3) to (8).
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Certified copies of entries in, to be admitted in evidence . . . . .	„ s. 4.
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Officer of bank not compellable to produce books or to appear as witness; exceptions . . . . .	„ ss. 5, 6(2), (3).
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Inspection and taking of copies of, or production of certified copies of, entries in, by order of Court or Judge . . . . .	„ s. 6.
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Costs in proceedings under Act . . . . .	„ s 7.
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Chemical examiner's report to be evidence . . . . .	Act 4, 1871, s. 18A (ins. Act 4, 1908, s. 6).
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Certain certificates in lunacy matters to be evidence . . . . .	Act 5, 1898, ss. 467, 473, 475.
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Post office marks to be evidence . . . . .	Act 6, 1898, ss. 14, 15.
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Production, etc., of documents in suit. See CIVIL PROCEDURE, 2.

Evidence how taken in criminal trial. See CRIMINAL PROCEDURE (INDIAN), 8 (7).

Punishment for false evidence, etc. See CRIMINAL LAW (INDIAN), 8.

Obtaining evidence of prisoners. See PRISONER (INDIAN LAW), 2 (6), (7), (10).

## EXCHANGE.

Definition of . . . . .	} Act 4, 1882, s. 118.
Transfer of property in completion of, how to be made . . . . .	
Rights and liabilities of parties to . . . . .	

EXCHANGE—*concl'd.*

See also TRANSFER OF PROPERTY, A.

EXCISE ACT, 1896 [See CANTONMENT; CUSTOMS (INLAND); } Excise] . . . . . }	Act 12, 1896.
EXCISE (AMENDMENT) ACT, 1906 . . . . . }	Act 7, 1906.
EXCISE (MALT-LIQUORS) ACT, 1890 [See CUSTOMS (SEA); } Excise] . . . . . }	Act 13, 1890.
EXCISE (SPIRITS) ACT, 1863 (See Excise) . . . . . }	Act 16, 1863.
EXCISE AND SEA CUSTOMS LAW AMENDMENT ACT, } 1885 (See Excise) . . . . . }	Act 9, 1885.

## EXCISE

1803. Mad. Reg. 2, ss 2, 32 (Collectors).	1886. Mad. Act 1 (Excise, Madras).
1863. Act 16 (Spirits used in arts and manuf- factures).	1888. Mad. Act 3, ss. 67, 68 (Police, Madras City)
1866. Ben. Act 2, ss. 18 to 24 (Calcutta Sub- urban Police)	1889. Reg. 3, ss 37 to 46 (Land and Reve- nue, Upper Burma).
„ Ben. Act 4, ss. 33, 35 to 41 (Calcutta Police).	1890. Act 13, ss. 6 to 9 (Malt Liquor)
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).	1894. Act 8, ss 7, 10 (Tariff).
1874. Act 15, s. 3 (Laws Local Extent)	„ Reg. 1, s. 3 (Laws, Angul).
„ Reg. 9, ss. 16, 17 (Arakan Hills)	1896. Act 2, ss. 5 to 36 (Cotton Duties)
1876. Reg. 3, ss. 31, 32 (Andamans).	„ Act 12 (Excise, Northern India, etc.).
1878. Act 8, ss. 26, 28, 138, 144 to 155, 163, 167 (Sea Customs).	1898. Act 13, s. 4 (Laws, Burma)
„ Bom. Act 5 (Excise, Bombay)	1901. Reg. 7, s. 3 (Laws, N.-W. Fr.).
1883. Reg. 1, s 18 (10) (Report of offences, Assam)	1902. Bom. Act 4, s. 115 (Police, Bombay City).
1885. Act 9, s 4 (Duty)	1904. Bur. Act 3 (Excise).
	1909. Ben. Act 5 (Excise).
	1910. E. B. & A. Act 1 (Excise).
	„ U. P. Act 4 (Excise)
1. Generally.	3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium).
2. Cotton Goods	4. Other Articles.

## 1 Generally.

Duty may be taken *pro rata* See ACTS AND REGULATIONS OF  
INDIAN LEGISLATURES, 1

Duties to be collected by Collector . . . . . }	Mad. Reg. 2, 1803, ss 2, 32.
Effect of alteration of duty on contract . . . . . }	Act 8, 1894, s. 10.
Excisable goods not to be unladen from coasting ship without permission of Excise officer . . . . . }	Act 2, 1896, s. 35.
Duty to be paid on re-importation of country goods on which drawback was allowed on exportation . . . . . }	Act 8, 1878, s. 163
Bond may be required before exportation of goods subject to duty . . . . . }	„ s. 26.
Country provisions and stores for use on foreign-going ship may be shipped free of duty . . . . . }	„ s. 138.
	„ s. 23.

## 2 Cotton Goods

Duty on cotton goods produced in mill, power to fix and alter tariff-values . . . . . }	Act 2, 1896, ss 6, 7.
Assessment of duty, recovery of duty and penalty for non-pay- ment . . . . . }	„ ss. 9 to 11, 15.

EXCISE—*contd.*2. Cotton Goods—*contd.*

Exemption from duty and payment of drawback, in case of cotton goods exported by sea to foreign port . . . . .	{	Act 2, 1896, ss. 18 to 21, 23, 24, 25 (10), (11), 36.
Power to prohibit payment of drawback . . . . .	„	s. 22.
Returns of cotton goods produced at mill . . . . .	{	„ ss. 8, 15, 19, 25 (3), (4), (13), 36.
Warehousing . . . . .	{	„ ss. 12 to 15, 25 (16).
Inspection of mills, and taking of copies of records and accounts; information so acquired to be deemed an "official secret" . . . . .	{	„ ss. 16, 17, 36.
Offences and penalties . . . . .	„	s. 25.
„ by whom triable . . . . .	„	s. 26.
Confiscation of goods when allowed; packages, conveyances, animals, etc., may also be confiscated . . . . .	{	„ ss. 25, 27.
Samples to be kept by mill-owner for inspection . . . . .	„	ss. 28, 25 (6).
„ may be taken by Collector . . . . .	„	s. 29.
Records and books of account to be kept by mill-owner . . . . .	{	„ ss. 30, 25 (5), (7), 36.
Returns of cotton yarn spun by machinery . . . . .	{	„ ss. 31, 25 (8), 36.
Search, arrest and seizure, option to pay fine in lieu of confiscation; saving of liability to punishment under other law, appeals; detention of goods pending payment of fine, etc. . . . .	{	„ s. 32.
Local Government may reverse or modify decision or order . . . . .	„	s. 33.
Notice of, and limitation for, proceedings other than suit; amendments of documents; publication and sale of rules; cancellation of notifications; remission of duty and compensation to owner, when offender is an official . . . . .	{	„ s. 34.

## 3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)

## (a) PRELIMINARY.

[1] Act 16, 1863 (Spirits used in arts and manufactures), declared in force—

throughout British India, except as regards the Scheduled Districts . . . . .	{	Act 15, 1874, s. 3.
in the Santhál Parganas . . . . .	„	Reg. 3, 1872, s. 3, Sch.
in Angul District . . . . .	„	Reg. 1, 1894, s. 3.
in Upper Burma (except Shan States) . . . . .	„	Act 13, 1898, s. 4, Sch. I.
Act 8, 1873, ss. 144 to 154, declared in force—		
in Angul District . . . . .	„	Reg. 1, 1894, s. 3.
in Upper Burma, except Shan States . . . . .	„	Act 13, 1898, s. 4, Sch. I.
Act 9, 1885, ss. 3, 4, declared in force in the Santhál Parganas . . . . .	„	Reg. 3, 1872, s. 3, Sch.
Act 13, 1890, declared in force in Angul District . . . . .	„	Reg. 1, 1894, s. 3.
„ ss. 1, 6, 7, 8, declared in force in Santhál Parganas . . . . .	„	Reg. 3, 1872, s. 3, Sch.
„ s. 9, declared in force in Upper Burma, except Shan States . . . . .	{	Act 13, 1898, s. 4.

[1] Act 16, 1863, has been repealed in Bengal by Ben. Act 5, 1907, and in the United Provinces by U. P. Act 4, 1910. It will be repealed in Eastern Bengal and Assam by E. B. and A. Act 1, 1910, when it comes into force.



EXCISE—*contd.*3, Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*(b) MANAGEMENT—*contd.*

		Act 9, 1885, s. 4.
		Act 13, 1890, s. 8.
		Act 12, 1896, ss. 7, 8, 13,
		19, 31, 32.
		Ben. Act 5, 1909, ss. 17, 27, 29,
		38(I)(a)(i)
Duties . . . . .		Bom. Act 5, 1878, ss. 19, 20,
		24 to 27, 27E.
		[1] E. B. & A. Act 1, 1910, s. 21.
		Mad Act 1, 1886, ss. 17 to 19.
		U. P. Act 4, 1910, ss. 19, 28,
		31, 46.
		Act 12, 1896, s. 349.
		Ben. Act 5, 1909, ss. 23, 32.
		Bom. Act 5, 1878, ss. 21, 24,
		29, 32.
Recovery of dues . . . . .		E. B. & A. Act 1, 1910, ss. 25,
		38
		Mad Act 1, 1886, s. 2.
		(U. B.) Reg. 3, 1889, ss. 37 to
		46.
		U. P. Act 4, 1910, ss. 29, 30, 36,
		469.
Supervision of cultivation, preparation and storing of intoxicat-		Ben. Act 5, 1909, s. 17.
ing drugs, to secure duty . . . . .		U. P. Act 4, 1910, s. 19.
		Act 12, 1896, ss. 21 to 24 (s. 21
		am. Act 7, 1906, s. 4; s. 23
		am. in N.-W. Fr., Reg. 7,
		1901, s. 3, Sch.)
Control over sale . . . . .		Ben. Act 5, 1909, ss. 20, 21, 22.
		Bom. Act 5, 1878, ss. 16 to 18.
		E. B. & A. Act 1, 1910, ss. 18
		to 20.
		Mad Act 1, 1886, ss. 15, 16.
		U. P. Act 4, 1910, s. 6.
		Ben. Act 4, 1866, ss. 36 to 38
		(s. 36 am. Ben. Act 3, 1910, s.
" " " in Calcutta and suburbs; powers of Commis-		11).
sioner of Police as to grant of licenses . . . . .		Ben. Act 2, 1866, ss. 19 to 21,
		(s. 19 am. Ben. Act 3, 1910, s.
		11).
" " " in Calcutta and suburbs, fee for certificates		Ben. Act 4, 1866, s. 41.
and licenses granted by Commissioner of		Ben. Act 2, 1866, s. 24.
Police . . . . .		
" " " licenses, permits, passes . . . . .		Ben. Act 5, 1909, ss. 30 to 44.
		E. B. & A. Act 1, 1910, ss. 24
		to 32.
		U. P. Act 4, 1910, ss. 20 to 22,
		31 to 37.
Licensed vendors, employment of women or children by . . . . .		Ben. Act 5, 1909, s. 25.
		U. P. Act 4, 1910, s. 23.

[1] E. B. & A. Act 1, 1910, will come into force when notified. The Act extends to the whole of Eastern Bengal and Assam, excepting certain tracts and districts to which it may be extended by notification. See s. 1

EXCISE—*contd.*3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*(b) MANAGEMENT—*contd.*

Licensed vendors employing unauthorised persons or selling at unauthorised hours : penalty . . . . .	Bur. Act 3, 1904, s. 3.
Closing of shop for the sake of public peace . . . . .	Ben Act 5, 1909, s. 26. Bom. Act 5, 1878, s. 42. [1] E. B. & A. Act 1, 1910, s. 56. U. P. Act 4, 1910, s. 59. Mad. Act 1, 1886, s. 54.
Control over possession . . . . .	Act 12, 1896, ss. 18 to 20, 30 (s. 18 am. Act 7, 1906, s. 3). Ben. Act 5, 1909, ss. 18, 19. Bom. Act 5, 1878, s. 47. [1] E. B. & A. Act 1, 1910, s. 17. Mad Act 1, 1886, s. 13. U. P. Act 4, 1910, s. 7.
" " import or export . . . . .	Act 12, 1896, ss. 31, 32. Ben. Act 5, 1909, ss. 9 to 12. Bom. Act 5, 1878, ss. 9 to 11. [1] E. B. & A. Act 1, 1910, ss. 10 to 14. Mad. Act 1, 1886, ss. 6 to 8. U. P. Act 4, 1910, ss. 12 to 16.
" " transport . . . . .	Act 12, 1896, s. 20. Ben. Act 5, 1909, ss. 10 to 12. Bom. Act 5, 1878, ss. 12, 13. [1] E. B. & A. Act 1, 1910, ss. 11 to 14. Mad Act 1, 1886, ss. 9 to 11. U. P. Act 4, 1910, ss. 13 to 16.
" " sale, possession, import, export and transport of mhowra flowers in, into, or from the districts of Tana, Kolaba and certain other areas . . . . .	Bom Act 5, 1878, s. 18 A.
Penalty for unlawful introduction of spirits, etc., into public hospitals, forts, barracks, vessels of war, etc. . . . .	(Bo. City) Bom Act 4, 1902, s. 117. (Cal.) Ben Act 4, 1866, s. 33. (Mad City) Mad. Act 3, 1888, ss. 67, 68.
Prohibition of unlicensed importation, manufacture, barter, sale or possession of liquor or intoxicating drugs into or in Andamans, penalty . . . . .	(And.) Reg 3, 1876, ss. 31, 32.
Seizure and confiscation of spirit and ganja in boat on river Kuldán not protected by pass, penalty on boatman . . . . .	(Ara.) Reg. 9, 1874, ss. 16, 17.
Farming of fees, etc. . . . .	Act 12, 1896, ss. 25 to 28. Bom. Act 5, 1878, ss. 23, 28, 29. Mad Act 1, 1886, ss. 20 to 23.
Tari; supply of, to licensed vendors . . . . .	Act 12, 1896, s. 29.
Measuring and testing . . . . .	Ben. Act 5, 1909, s. 24. Bom. Act 5, 1878, s. 33. [1] E. B. & A. Act 1, 1910, s. 33. Mad. Act 1, 1886, s. 27. U. P. Act 4, 1910, s. 38.

[1] E. B. & A. Act 1, 1910, will come into force when notified. The Act extends to the whole of Eastern Bengal and Assam, excepting certain tracts and districts to which it may be extended by notification. See s. 1

EXCISE—*contd.*3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*(b) MANAGEMENT—*contd.*

Medicated articles not subject to excise law ; Local Government may prohibit sale except under license . . . . .	{ Bom. Act 5, 1878, s. 62. [1] E. B. & A. Act 1, 1910, s. 72. Mad. Act 1, 1886, s. 71. U. P. Act 4, 1910, s. 75.
Tari ; special provision as to . . . . .	{ Ben. Act 5, 1909, ss. 13(f), 14, 18(2), 19(2), 20(3). [1] E. B. & A. Act 1, 1910, ss. 15, 17(2), (3), 18(4), 36(2). U. P. Act 4, 1910, ss. 42 to 47.
Exclusive privilege of manufacture and sale of country liquors or intoxicating drug . . . . .	{ Ben. Act 5, 1909, ss. 22, 23, 29. [1] E. B. & A. Act 1, 1910, ss. 19, 23. U. P. Act 4, 1910, ss. 24 to 27, 30.
Power of Collector to take over or transfer any grant of license or exclusive privilege on forfeiture or surrender . . . . .	{ Ben. Act 5, 1909, s. 45. [2] E. B. & A. Act 1, 1910, s. 34. Act 12, 1896, s. 66.
Exemption of articles and persons from excise law under order of Local Government . . . . .	{ Ben. Act 5, 1909, s. 90. [1] E. B. & A. Act 1, 1910, s. 73. U. P. Act 4, 1910, s. 76.
Municipality ; fixed sum to be paid annually to Municipal Corporation of City of Bombay from excise revenue . . . . .	{ Bom. Act 5, 1878, s. 63. Act 12, 1896, s. 65.
General power to make rules . . . . .	{ Ben. Act 5, 1909, ss. 85 to 88. Bom. Act 5, 1878, ss. 27 E, 35. Bur. Act 3, 1904, s. 4. [1] E. B. & A. Act 1, 1910, ss. 36, 75. Mad. Act 1, 1886, ss. 29, 69. U. P. Act 4, 1910, ss. 40, 41, 77.
In cantonments	See CANTONMENT, 2.

## (c) OFFENCES, PENALTIES AND PROCEDURE.

Offences and penalties . . . . .	{ Act 12, 1896, ss. 45 to 56, 59, 61. Ben. Act 2, 1866, ss. 18, 21, 23. Ben. Act 4, 1866, ss. 35, 38, 40. Ben. Act 5, 1909, ss. 46, 48 to 54, 58 to 62. Bom. Act 5, 1878, ss. 7, 43 to 53 (am. Bom. Act 4, 1905, s. 2). Bur. Act 3, 1904, s. 3. [1] E. B. & A. Act 1, 1910, ss. 53 to 64. Mad. Act 1, 1886, ss. 55 to 64. U. P. Act 4, 1910, ss. 49, 60 to 69.
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[1] E. B. &amp; A. Act 1, 1910, will come into force when notified.

EXCISE—*contd.*3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*(c) OFFENCES, PENALTIES AND PROCEDURE—*contd.*

Liability of person on whose behalf exciseable article is manufactured, sold or possessed by another; liability of licensee for act of servant . . . . .	{ Ben. Act 5, 1909, ss. 55 to 57. U. P. Act 4, 1910, s. 71.
Investigation of excise offences by Excise-officers . . . . .	{ Ben. Act 5, 1909, ss. 73, 74. U. P. Act 4, 1910, ss. 49, 54.
Cognizance of offences: what Magistrates to exercise jurisdiction over . . . . .	{ Ben. Act 5, 1909, ss. 82, 83. [1] E. B. & A. Act 1, 1910, ss. 65, 66.
Report of offences to be made by rural policemen . . . . .	{ (As.) Reg. 1, 1883, s. 18 (10). (Ben.) B n Act 5, 1909, s. 71 (2).
	{ Act 12, 1896, ss. 35 to 44. Ben. Act 5, 1909, ss. 66 to 79, 81.
Powers of entry, inspection, search, seizure and arrest . . . . .	{ Bom. Act 5, 1878, ss. 36 to 38, 40. [1] E. B. & A. Act 1, 1910, ss. 37 to 41. Mad. Act 1, 1886, ss. 30 to 36. U. P. Act 1, 1910, ss. 48, 50 to 54.
	{ Act 12, 1896, ss. 41, 42. Ben. Act 5, 1909, ss. 75 to 78. Bom. Act 5, 1878, s. 41.
Persons arrested and articles seized, how to be dealt with . . . . .	{ [1] E. B. & A. Act 1, 1910, ss. 44 to 48. Mad. Act 1, 1886, ss. 40 to 43, 50 to 52 (s. 40 am. Mad. Act 1, 1905, ss. 4, 5).
Security and bail . . . . .	{ Ben. Act 5, 1909, s. 75. [1] E. B. & A. Act 1, 1910, s. 49. Mad. Act 1, 1886, s. 5 A (uns. Mad. Act 1, 1905, s. 2). U. P. Act 4, 1910, s. 55.
Presumption as to offence when possession not satisfactorily accounted for . . . . .	{ Ben. Act 5, 1909, s. 47. [1] E. B. & A. Act 1, 1910, s. 67. U. P. Act 4, 1910, s. 71.
	{ Act 12, 1896, ss. 45, 46, 48, 51, 61. Ben. Act 5, 1909, ss. 63 to 65. Bom. Act 5, 1878, ss. 54, 55, 58.
Confiscation of articles . . . . .	{ [1] E. B. & A. Act 1, 1910, ss. 67, 68. Mad. Act 1, 1886, ss. 65, 66. U. P. Act 4, 1910, ss. 72, 73.
Attachment of crop of hemp alleged to be illegally cultivated	Bom. Act 5, 1878, s. 58 A.
Summoning and examination of witnesses by Excise-officers	Mad. Act 1, 1886, ss. 44 to 49.
	Ben. Act 5, 1909, s. 65.
Compounding of offences . . . . .	{ [1] E. B. & A. Act 1, 1910, s. 70. Mad. Act 1, 1886, s. 67. U. P. Act 4, 1910, s. 74.

<sup>1</sup> [1] E. B. & A. Act 1, 1910, will come into force when not met.



EXCISE—*contd.*3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*(c) OFFENCES, PENALTIES AND PROCEDURE—*concl'd.*

Execution of sentences and recovery of fines . . . . .	Mad. Act 1, 1886, s. 63.
Imprisonment in civil jail only, in certain cases . . . . .	Act 12, 1896, s. 58.
Certain persons bound to report offences to Excise-officer, and to prevent offences . . . . .	Ben. Act 5, 1909, s. 72. [1] E. B. & A. Act 1, 1910, ss. 50, 51. Mad. Act 1, 1886, ss. 38, 39. U. P. Act 4, 1910, ss. 56, 57.
Police-officers ; duties and powers of . . . . .	Act 12, 1896, ss. 43, 44. Ben. Act 5, 1909, ss. 67, 71, 77 to 79. Bom. Act 5, 1878, ss. 39 to 42. Mad. Act 1, 1886, ss. 31 to 35, 37, 53, 54. U. P. Act 4, 1910, s. 58.
Officers of other Departments bound to assist Excise-officers . . . . .	Act 12, 1896, s. 43. Ben. Act 5, 1909, s. 71. Bom. Act 5, 1878, s. 39. [1] E. B. & A. Act 1, 1910, s. 50. Mad. Act 1, 1886, s. 37. U. P. Act 4, 1910, s. 56.
Rewards to officers and informers . . . . .	Act 12, 1896, s. 60. Bom. Act 5, 1878, s. 59.
Prosecutions in certain cases, to be instituted only on official information . . . . .	Act 12, 1896, s. 57. Ben. Act 5, 1909, s. 83. [1] E. B. & A. Act 1, 1910, s. 65 (1). U. P. Act 4, 1910, s. 70(1).
„ limitation of . . . . .	Act 12, 1896, s. 57. [1] E. B. & A. Act 1, 1910, s. 65 (2). Bom. Act 5, 1878, s. 67. Mad. Act 1, 1886, s. 72. U. P. Act 4, 1910, s. 70(2).
Actions against Government or Excise-officer—	
when barred ; limitation . . . . .	Ben. Act 5, 1909, ss. 91, 92. Bom. Act 5, 1878, s. 67. [1] E. B. & A. Act 1, 1910, ss. 76, 77. Mad. Act 1, 1886, s. 72. U. P. Act 4, 1910, s. 73.
costs . . . . .	Mad. Act 1, 1886, s. 72.
Appeals from orders . . . . .	Act 12, 1896, s. 64. Ben. Act 5, 1909, ss. 8, 55(?) (c). Bom. Act 5, 1878, s. 60. [1] E. B. & A. Act 1, 1910, ss. 9, 36(2)(c). U. P. Act 4, 1910, ss. 11, 40(2) (c).
Proceedings before Collector under E. B. & A. Act 1, 1910, to be deemed judicial proceedings : power to punish for contempt . . . . .	[1] E. B. & A. Act 1, 1910, s. 71.
In cantonment. See CANTONMENT, 2.	

[1] E. B. &amp; A. Act 1, 1910, will come into force when notified.

EXCISE—*concl'd.*3 Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*concl'd.*

## (d) MISCELLANEOUS.

Spirit on which excise-duty has been paid; differential customs-duty payable on imports coastwise of . . . }	Act8,1894,s.7.
" duty on importation of country spirit from one customs-port to another . . . }	Act8,1878,ss 148,151.
" exportation of country spirit under bond for duty . . . }	" ss.144to146.
" duty recoverable on deficiency of country spirit removed for exaporation under bond . . . }	" s 147.
" " to be paid on removal for local consumption of country spirit intended for exportation . . . }	" s 149.
" re-landing of spirit shipped for exportation . . . }	" ss 154,167(60).
" duty; rum-shrub, cordial and other such liquor how charged with, under Sea Customs Act . . . }	" s 152.
" to be used exclusively in arts or manufactures or in chemistry—	
rate of duty . . . . .	Act16,1863,s 1.
levy of duty . . . . .	" ss 1,2.
provisions for ascertaining that such spirit is unfit, and for preventing its being rendered fit, for human consumption . . . }	" ss.1to7,9.
" and fermented liquor drawback on exportation to foreign port of—	Act8,1878,s.155.
country spirit . . . . .	" s 150.
" fermented liquor . . . . .	Act13,1890,s.9.
" conditions precedent to allowing drawback or remitting duty on spirit shipped for exportation . . . }	Act8,1878,s.153.
Excise in Upper Burma Hills See CHIN HILLS, 5	
" in Chittagong Hill Tracts See CHITTAGONG HILL TRACTS.	

## 4. Other Articles

See OPIUM, SALT; TOBACCO.

## EXECUTOR

Definitions of See WORDS AND PHRASES.

Status, rights, etc., of. See ADMINISTRATION OF ESTATES.

EX-KING THERAW'S ACT, 1895 . . . . . Act20,1895

EXPATRIATION. See BRITISH SUBJECT, 2 (b)

EXPLOSIVE SUBSTANCES ACT, 1908 (See EXPLOSIVE) . . . Act6 1908.

EXPLOSIVES ACT (INDIAN), 1884 . . . . . Act4,1884.

## EXPLOSIVE.

## 1 Generally

Act 6, 1908, extends to whole of British India and applies also to certain persons beyond British India . . . }	Act6,1908,s.1.
" Explosive substance " defined . . . . .	" s.2.
Penalties . . . . .	" ss 3to5.
Abettors, punishment of . . . . .	" s.6.
Offence under Act not to be tried without consent of Government . . . }	" s.7.
" " " may be tried under Act 14,1908 . . .	Act14,1908,s.2, Sch

EXPLOSIVE—*contd.*1. Generally—*contd.*

Act 4, 1884, extends to whole of British India . . . . .	Act 4, 1884, s. 1.
" " declared in force in Santhal Parganas . . . . .	Reg. 3, 1872, s. 3, Sch.
" " " " Upper Burma, except Shan States	Act 13, 1898, s. 4, Sch. I.
" " not to affect possession, etc., by or for Government } or by volunteer . . . . . }	Act 4, 1884, s. 14.
" " " " Arms Act, 1878 . . . . .	" s. 15.
Definitions . . . . .	" s. 4.
Power to extend definition of " explosive " to other substances .	" s. 17.
Power of Government to make rules for licensing manufacture, } possession, use, sale, transport and importation of . . . }	" s. 5.
Specially dangerous :	
Power to prohibit or regulate manufacture, possession or im- } portation of ; penalty . . . . . }	Act 4, 1884, s. 6 (1), (5).
Powers of Sea Customs-officers with respect to . . . . .	" s. 6 (2).
Power to make rules as to inspection, search seizure, etc., of	" s. 7.
Accidents ; notice of, and enquiry into . . . . .	" ss. 8, 9.
Forfeiture of, on conviction . . . . .	" s. 10.
Arrest without warrant for dangerous offence . . . . .	" s. 13.
Distress of vessel for recovery of fine . . . . .	" s. 11.
Abetment of offence and attempts ; punishment of . . . . .	" s. 12.
Prosecutions under other laws not barred, but only one punish- } ment allowed . . . . . }	" s. 16.
Procedure for making, etc., rules . . . . .	" s. 18.
Control over storing of, in municipalities .	
<i>See under</i> MUNICIPALITY ( <i>sub-heading</i> , " The Public Health, Safety and Convenience ").	
Carriage of, on railway . . . . .	Act 9, 1896, s. 59.
" " on tramway. <i>See</i> TRAMWAY, 4 (a), 5 ; TRAMWAYS, A, 4 (a), 5.	
" " by sea. <i>See</i> MERCHANT SHIPPING, 7 (b).	
Regulation of dealings with, in Andamans. <i>See</i> ANDAMAN AND NICOBAR ISLANDS, 5.	
Punishment for negligent conduct with respect to . . . . .	Act 45, 1860, s. 286.
Power of Commissioner of Police to issue warrant to search for and seize explosives ; exemption of Government powder or buildings . . . . .	{ (Cal.) Ben. Act 4, 1866, ss. 60, 61 (am. Ben. Act 3, 1910, ss. 14, 15). (Cal. Sub.) Ben. Act 2, 1866, ss. 37, 38 (am. Ben. Act 3, 1910 ss. 14, 15).
Power of Commissioner of Police to make rules for licensing, con- trolling or prohibiting the carrying of explosive substance in streets, etc., penalty . . . . .	{ (Cal.) Ben. Act 4, 1866, ss. 62, (1)(g), 62 (2) (sub. Ben. Act 3, 1910, s. 16). (Cal. Sub.) Ben. Act 2, 1866, ss. 39 (1)(g), 39 (2) (sub. Ben. Act 3, 1910, s. 16). (Bom. City) Bom. Act 4, 1902, ss. 22 (1) (i) (ii), 127.

*See also* POST OFFICE (INDIAN LAW), 3, 6.

EXPLOSIVE—*contd.*

## 2. Gunpowder.

Penalty for manufacture or unlicensed possession of . . . . .	(Cal.) Ben Act 4, 1866, s. 57. (Cal. Sub.) Ben. Act 2, 1866, s. 34. (Howrah) Act 21, 1857, s. 18.
Licensing by police of transport of ; search ; penalties . . . . .	(Cal.) Ben Act 4, 1866, ss. 58 to 60. (Cal. Sub.) Ben. Act 2, 1866, s. 36.
" " of sale and possession of ; penalties . . . . .	(Howrah) Act 21, 1857, s. 19.
Ben Act 4, 1866, ss. 57, 59, Ben Act 2, 1866, ss. 34, 36, not to apply to Government powder or buildings . . . . .	(Cal.) Ben Act 4, 1866, s. 61 (am Ben Act 3, 1910, s. 15). (Cal Sub.) Ben. Act 2, 1866, s. 38 (am Ben. Act 3, 1910, s. 15).

Licensing of gunpowder and firework manufactories in municipalities

*See* MUNICIPALITY, XIV, XV ; sub-headings 6 (g) and 6 (o) respectively.

*See also* ARMS, AMMUNITION AND MILITARY STORES ; CHIN HILLS. 6.

EXTORTION *See* CRIMINAL LAW (INDIAN), 15.

EXTRADITION ACT, 1870 ( <i>See</i> EVIDENCE, I, EXTRADITION) . . . . .	33-4 V. c. 52.
" " 1873 . . . . .	36-7 V. c. 60.
" " 1895 . . . . .	58 9 V. c. 33.
" " 1906 . . . . .	6 Edw. 7, c. 15.
" (INDIA) ACT, 1903 . . . . .	Act 15, 193

## EXTRADITION OF CRIMINALS

1870 33-4 V. c. 52 [1] (Extradition).	1895. 58-9 V. c. 33 [1] (Extradition).
1873 36-7 V. c. 60 [1] (Extradition)	1903 Act 15 (Extradition)
" 36-7 V. c. 88, s. 27 (Slave Trade)	1906 6 Edw. 7, c. 15 [2] (Extradition).

## 1 ENGLISH LAW.

## (a) JURISDICTION.

Application of Acts by Order in Council where arrangement made with foreign State . . . . .	33-4 V. c. 52, ss. 2, 4, 5, 21.
Extradition crimes ; enumeration of . . . . .	" s. 26, Sch. I 36-7 V. c. 60, s. 8, Sch.
" " offences as to slave trade to be . . . . .	36-7 V. c. 88, s. 27.
" " bribery to be included in list of . . . . .	6 Edw. 7, c. 15, s. 1.
Liability of fugitive criminals of foreign State to which Acts apply, accused or convicted of extradition crimes, to apprehension and surrender in British dominions . . . . .	33-4 V. c. 52, s. 6. 36-7 V. c. 60, s. 6.
Liability of accessories, aiders and abettors to apprehension, etc. . . . .	" s. 3.
Criminal not to be surrendered for political offence, and restrictions as to surrender . . . . .	33-4 V. c. 52, s. 3.
Criminal surrendered by foreign State not liable for other offence than that on which surrender grounded . . . . .	" s. 19.

[1] Collective title ("Extradition Acts, 1870 to 1895") given by 58 & 59 V. c. c. 33, s. 2.  
Collective title ("Extradition Acts, 1870 to 1906") given by 6 Edw. 7, c. 15, s. 2.

EXTRADITION OF CRIMINALS—*contd.*1. ENGLISH LAW—*contd.*

## (b) PROCEDURE.

Requisition to Secretary of State for surrender; order to Police Magistrate to issue warrant for apprehension . . . . .	{	33-4V.c.52,s 7. 36-7V.c.60,s.7.
Refusal of order, and discharge of criminal, if offence political . . . . .		33-4V.c.52,s.7.
Issue and execution of warrant; Magistrate; place of hearing and custody . . . . .	{	„ ss.8,13,20. Sch.II. 58-9V.c.33.
Examination of criminal; committal or discharge; right to apply for <i>habeas corpus</i> , if committed . . . . .	{	33-4V.c.52,ss 9to11.
What depositions, etc., receivable in evidence; authentication of foreign warrants, etc. . . . .	{	„ ss.14,15. 36-7V.c.60,s.4.
Surrender of criminal, and conveyance to foreign State . . . . .		33-4V.c.52,ss.11,12.

## (c) MISCELLANEOUS.

“Foreign State” to include dependencies and vessels thereof . . . . .	„	s.25.
Provisions where surrender sought in respect of crime committed at sea . . . . .	{	„ s 16. 36-7V.c.60,s.6.
Provisions as to surrender of fugitive criminals of foreign States in British Possessions ( <i>see also below</i> , 2) . . . . .	{	33-4V.c.52,ss 17,18. 36-7V.c.60,s.7.
Saving of power as to extradition treaties with native Indian States or Asiatic States bordering on India . . . . .	{	33-4V.c.52,s.23.
Apprehension of deserters from foreign ships. <i>See</i> MERCHANT SHIPPING, 2 (g)		
Arrest, etc., of fugitive offenders. <i>See</i> FUGITIVE OFFENDER.		
Power to Foreign State to obtain evidence in British dominions as to criminal matters, if not political. <i>See</i> EVIDENCE, I, 1.		
Trial and execution of sentence in British dominions in case of offenders in places out of British dominions where Crown has jurisdiction. <i>See</i> FOREIGN JURISDICTION.		

## 2. INDIAN LAW.

## (a) IN CASE OF FOREIGN STATES.

“Foreign State” defined . . . . .	Act15,1903,s.2(c).
“Extradition offence” described . . . . .	„ s.2(6),Sch.1.
Liability of fugitive criminal of foreign State to apprehension and surrender . . . . .	„ ss.3,4.
Procedure: requisition for surrender; order on Magistrate for inquiry; issue of process and inquiry by Magistrate; committal or release on bail; Magistrate's report, reference to High Court of any important question of law . . . . .	„ s.3(1)to(7).
Power of Magistrate to issue warrant for arrest of fugitive criminal in certain cases and procedure thereon . . . . .	„ s.4.
Power of Government to issue warrant for surrender . . . . .	„ s 3(8),(9).
Power of Government to refuse order for inquiry if offence is of a political character, to stay proceedings, cancel warrant and order discharge . . . . .	„ s.5.
Power of High Court to order discharge of fugitive criminal in certain cases . . . . .	„ s.3(10).
Provision for the exercise of powers conferred by 44, 45-V. c. 69 . . . . .	„ s.19.

EXTRADITION OF CRIMINALS—*concl'd.*2. INDIAN LAW—*concl'd.*

## (b) IN CASE OF OTHER STATES.

"Extradition offence" described . . . . .	Act 15, 1903, s. 2(6), Sch. 1.
Liability of fugitive criminal, not being a European British subject, who has committed or is supposed to have committed an extradition offence, to apprehension and surrender . . . . .	" ss. 7(2), 9, 14.
Conditional surrender where fugitive is accused of or undergoing sentence for offence in British India; suspension and revival of sentence . . . . .	" s 11.
Procedure; issue of warrant by Political Agent and proceedings thereon . . . . .	" s 7, 8.
" requisition by State and proceedings thereon . . . . .	" s. 9.
" power of Magistrate to issue warrant for arrest of fugitive criminal in certain cases and proceedings thereon . . . . .	" s. 10.
" exhibits, depositions and copies thereof and other documents if duly authenticated to be received in evidence . . . . .	" s 17.
Provisions to apply to abetments and attempts and to persons convicted in the State of offence, abetment or attempt . . . . .	" ss. 12, 13.
Treaties for extradition, saving of provisions of . . . . .	" s. 18.

## (c) GENERAL.

Surrender in case of offence committed at sea . . . . .	" s. 20.
Rules; power to make . . . . .	" s. 22.
Execution of commissions for taking evidence issued by Criminal Courts outside British India . . . . .	" s. 21.
Trial of British subjects in British India for offences committed out of British India. See CRIMINAL PROCEDURE (INDIAN), 8 (I)	

## FACTORY

Definition of "factory," "child," "mill-gearing" and "employed" . . . . .	[1] Act 15, 1881, s 2.
Power to extend definition of "factory" . . . . .	" s 20.
Crown factories subject to Act . . . . .	" s 19.
Power to exempt factory from Act in case of public emergency . . . . .	" s 19.
Inspectors of, appointment, status, suspension and dismissal of . . . . .	" s 3.
" general powers of . . . . .	" s 4.
Certifying surgeons, appointment of, and grant of certificates of age by . . . . .	" s. 5.
Operatives . . . . .	
Daily stoppage of work for half an hour . . . . .	" s. 5A.
Sundays and holidays . . . . .	" s. 5B.
Women limitation of hours of work for, notice of intervals of rest to be set up . . . . .	" ss. 6, 10
" prohibition of employment of, in two factories on same day . . . . .	" s 11.
Children under 9 not to be employed . . . . .	" s. 7(I).
" limitation of hours of work for, notice of intervals of rest to be set up . . . . .	" ss. 7(2) to (f), 10.

[1] Act 15, 1881, will be repealed on 1st July 1912, on the coming into force of Act 12, 1911.

FACTORY—*contd.*Operatives—*contd.*

Children; prohibition of employment of—	
in certain dangerous work . . . . .	[ <sup>1</sup> ]Act15,1881,s.8.
in two factories on same day . . . . .	„ s.11.
„ register of . . . . .	„ s.9.
Fencing of fly-wheels, etc. . . . .	„ s.12.
Notice of accidents in . . . . .	„ s.13.
„ when beginning to occupy . . . . .	„ s.14.
Power of Local Government to make rules as to . . . . .	„ s.18.
Burden of proof as to age . . . . .	„ s.16.
Penalties . . . . .	„ s.15.
Occupier of, primarily liable for breaches of Act, orders or rules . . . . .	„ s.17.
Transmission and use of electrical energy in, by non-licensees . . . . .	Act9,1910,s.30.
Stamping of length on piece-goods manufactured in . . . . .	Act4,1889,s.12.

## FAIR.

Not to be established without written permission of District Magistrate; penalty . . . . .	} Bom Act4,1862,s.1.
Application for such permission, procedure to be followed by Magistrate before granting it . . . . .	
Order by Magistrate granting or refusing such permission; appeal from order; penalty for breach of order . . . . .	„ ss.2,3.
Act not to extend to islands of Bombay and Kolaba . . . . .	„ ss.4,6,7.
„ „ apply to religious assemblies . . . . .	„ s.8.
„ „ restrict Government's powers of control . . . . .	„ s.9.
„ „ restrict Government's powers of control . . . . .	„ s.10.
To be under authority of Local Self-Government Boards:	
See LOCAL SELF-GOVERNMENT, II, 3; III, 3; VIII, 3; IX, 3.	

## Holding of, in municipality.

See under MUNICIPALITY (sub-heading "The Public Health, Safety and Convenience").

Power to make rules as to See AJMERE, 4; CENTRAL PROVINCES, 3; OUDH, 6

See also INFECTIOUS DISEASE.

## FAIRWAYS.

Obstructions to navigation in fairways leading to ports in British India:

Power of Local Government to remove or destroy sunken vessel or other obstruction; Government entitled to recover expenses; notice of removal; sale of thing removed, for recovery of expenses . . . . .	} Act16,1881,ss.2to6
Power of Governor General in Council to make rules to regulate or prohibit placing of fishing stakes, throwing of ballast, etc.; penalty for breach of rules; place of trial . . . . .	
Compensation when payable for damage caused under Act . . . . .	„ s.10.
The word "vessel" to include tackle, cargo, etc. . . . .	„ s.7.
Act not to apply to vessels belonging to or hired by Government . . . . .	„ s.1.
Validation of past official action . . . . .	„ s.11.
Saving of other powers possessed by Government . . . . .	„ s.12.

FAMINE LOANS RECOVERY ACT (U. P.), 1897. (See LOAN, } U.P. Act1,1897.  
B, 4) . . . . .

[1] Act 15, 1881, will be repealed on 1st July 1912, on the coming into force of Act 12, 1911.

## FAMINE RELIEF.

Management of, by Local Self-government Boards:

See LOCAL SELF-GOVERNMENT, II, 3; III, 3; IV, 3; V, 3;  
VII, 3; VIII, 3; IX, 3.

Municipal Funds applicable to:

See under MUNICIPALITY (sub-heading "The Public Health, Safety and Convenience").

Application of local rates to:

See LOCAL RATES AND CASSES, A. E., F.

Power of Local Authority to borrow for. See LOAN, B, 2 (b).

Power of Government to lend money to agriculturists for. See  
LOAN, B, 3 (b).

FARCY. See ANIMAL, A.

FEES, JUDICIAL. See COURT-FEES; PROCESS-FEES.

FEMALE INFANTICIDE PREVENTION ACT, 1870 (See  
CENSUS; INFANTICIDE; POLICE, I; REGISTRATION OF  
BIRTHS, ETC.) . . . . .

Act 8, 1870.

FENCING SCHOOL. See PLACES OF PUBLIC RESORT, ETC.

FERMENTED LIQUOR. See EXCISE, 3.

FERRIES ACT (BENGAL), 1885 . . . . .  
" " (BOMBAY), 1868 . . . . .  
" " (BURMA), 1898 . . . . .  
" " (NORTHERN INDIA), 1878 . . . . .  
" " AMENDMENT ACT (NORTHERN INDIA), }  
1886[1] . . . . .

Ben. Act 1, 1885.

Bom. Act 2, 1868.

Bur. Act 2, 1898.

Act 17, 1878.

Act 3, 1886.

## FERRY.

1868. Bom. Act 2 (Ferries).  
1878. Act 17 [Ferries; Ajmere, Assam,  
Sambalpur District (Bengal),  
Central Provinces, Coorg, N.-W.  
Frontier Province, Punjab and  
United Provinces.]

1883. Act 1, s. 23 (Local Self-government,  
Central Provinces)

1884. Bom. Act 1, s. 44 (Local Boards).

General exemption from tolls, etc., of persons,  
belonging to the Army; compensation . . . . .

Maintenance of ferries by Railway Company. See RAILWAY, 6 (a)

1885. Ben. Act 1 (Ferries).

1889. Reg. 3, ss. 37 to 46 (Land and  
Revenue, Upper Burma).

1890. Mad. Act 2, ss. 3, 8 to 20 (Canals  
and Ferries).

1898. Bur. Act 2 (Ferries, Burma).

1901. Act 2, ss. 3 to 6 (Tolls, Army).

„ Reg. 7, s. 3 (Laws, N.-W. Frontier).

Act 2, 1901, ss. 3 to 6.

1 Preliminary  
2 Establishment, etc., and working.  
3 Supplemental

## AND EASTERN BENGAL

III.—BOMBAY PRESIDENCY .

{ 1 Establishment, etc., and working.  
2 Supplemental.

IV.—BURMA .

V.—MADRAS PRESIDENCY .

{ 1 Preliminary  
2 Establishment, etc., and working  
3 Supplemental.

[1] The short title was given by Act 5, 1897, s. 4.



FERRY—*contd.*

I.—AJMER, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES COORG [1],  
N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

## 1. Preliminary.

Definition of "ferry" . . . . . Act 17, 1878, s. 3.

## 2 Establishment, etc., and working.

## Public ferries :

{ Power of Government to declare, establish, define limits of,  
change course of, and discontinue ; compensation when private  
ferry taken up . . . . . " ss. 4, 5.

Tolls to be levied, except on persons and things employed or  
transmitted on public service ; power of Local Government  
to exempt persons and things from payment ; abatement of  
rent payable by lessee when exemption made . . . . . " s. 15.

S. 15 rep. as to certain exemptions ; general exemption of  
persons, property, etc., belonging to Army . . . . . Act 2, 1901, s. 8.

Superintendence of . . . . . Act 17, 1878, s. 6.

To be under authority of Local Self-Government Boards :

See LOCAL SELF-GOVERNMENT, V, 3, VIII, 3 ; IX, 3.

Transfer of, to Municipal Commissioners, Assam. See MUNICIPALITY, IV A, 4 ; VI, 4.

Transfer of management of, with proceeds, to—

Municipal Commissioners . . . . . Act 17, 1878, s. 7.

District Council or Local Board . . . . . { (Sambalpur District and  
C.P.) Act 17, 1878, s. 7A.

District Board . . . . . { (U P.) Act 17, 1878, s. 7A. [2]

District Board or Local Board . . . . . { (N.-W. Fr. and P.) Act 17,  
1878, s. 7A.

Leasing of tolls . . . . . Act 17, 1878, ss. 8, 12.

Recovery of arrears from lessee . . . . . " s. 9.

Cancellation and surrender of lease ; compensation when payable . . . . . " ss. 10, 11, 24.

Power to take possession of ferry-boats, etc., on surrender or  
cancellation of lease ; compensation . . . . . " s. 32.

Power to make rules as to management, etc., penalties for  
breach of rules . . . . . { " s. 12 (am. in  
N.-W. Fr., Reg. 7, 1901, s.  
3), ss. 21, 23, 24.

Persons using approaches or landing-places to pay the toll . . . . . Act 17, 1878, s. 14.

Compounding for tolls . . . . . " ss. 12 (c), 18.

Table and list of tolls ; penalties . . . . . " ss. 15, 16, 21.

## Private ferries :

Power to declare them to be public ferries ; compensation . . . . . " ss. 4 (b), 5.

Not to ply within two miles of public ferry without sanction ;  
exceptions, penalty . . . . . " ss. 13, 26.

Power of Commissioner to make rules for maintenance of order  
and for safety of passengers and property ; penalty for  
breach of rule . . . . . " ss. 19, 23.

Tolls not to exceed highest rates fixed for similar public ferries ;  
penalty . . . . . " ss. 20, 22.

[1] Act 17, 1878 (except ss. 2, 7A and 17 and part of s. 1), has been extended to Coorg, by notification under the Scheduled Districts Act, 1874.

[2] Act 16, 1901, by which s. 7A was inserted in United Provinces, has been repealed by U. P. Act 3, 1906 ; see however s. 42 (f) of the latter Act, where s. 7A of Act 17, 1878, is referred to.

FERRY—*contd.*I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, COORG<sup>[1]</sup>  
N.-W. FRONTIER PROVINCES, PUNJAB AND UNITED PROVINCES—*contd.*2. Establishment, etc., and working—*contd.*

Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency ; compensation . . . . .	Act 17,1878,s.33.
Offences and penalties . . . . .	„ ss.21to26, 28.

## 3. Supplemental.

Application of tolls, rents, compensation and fines . . . . .	{ „ s.17(am.in C. P., Act4,1907,s 2), (Sambalpur and C.P.) Act 1,1883,s 23(1)(c). Act17,1878,s.27.
Certain fines payable to lessee of tolls . . . . .	„ s.29.
Arrest without warrant . . . . .	„ s 30.
Summary trial of offences . . . . .	„ s 31.
Payment of damages by offender . . . . .	„ s. 34.
Bar to jurisdiction of Civil Courts in questions of compensation or abatement of rent . . . . .	„ s.35.
Relegation of Local Government's powers . . . . .	Reg.7,1901,s.3,Sch.1.
Modification of Act 17, 1878, in North-West Frontier Province.	

## II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL

## 1 Preliminary

Definitions . . . . .	Ben.Act1,1885,s.5.
Ben. Act 1, 1885, does not extend to municipal ferries . . . . .	„ s.4.

## 2 Establishment, etc., and working.

## Public ferries :

Power of Local Government to declare, establish, define limits of, change course of, and discontinue ; compensation when private ferry taken up, etc. . . . .	„ ss.6,17.
Tolls to be levied, except on persons and things employed or transmitted on public service ; power of Local Government to exempt persons and things from payment, abatement of rent payable by lessee when exemption made . . . . .	„ s.18.
S. 18 rep. as to certain exemptions ; general exemption of persons, property, etc., belonging to Army . . . . .	Act2,1901.
Control and superintendence of . . . . .	Ben.Act1,1885,ss 7,8.
Transfer of management of, with proceeds, to District Board ; powers of Board . . . . .	„ s.35.
Transfer of, to Municipal Commissioners. See MUNICIPALITY, VI, 4.	
Establishment and maintenance of subsidiary ferries ; compensation . . . . .	„ ss.11,17.
Leasing of tolls . . . . .	„ ss 9,10,15.
Recovery of arrears from lessee . . . . .	„ s.12.
Cancellation and surrender of lease, compensation when payable . . . . .	„ ss.13,14,26.
Power to take possession of ferry-boats, etc., on cancellation or surrender of lease, compensation . . . . .	„ s.33.

[1] See first footnote on p. 274.

FERRY—*contd.*II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*2. Establishment, etc., and working—*contd.*Public ferries—*contd.*

Power to make rules as to management, etc.; penalty for breach of rules . . . . .	} Ben. Act 1, 1885, ss. 15, 25.
Compounding for tolls . . . . .	" ss. 15(c), 21.
Table and list of tolls; penalty . . . . .	" ss. 19, 23.
Private ferries:	
Definition . . . . .	" s. 5.
Power to declare them to be public ferries; compensation . . . . .	" ss. 6, 17.
Not to ply within two miles of public ferry without sanction; exceptions; penalty . . . . .	} " ss. 16, 28.
Power of Commissioner to make rules for maintenance of order and for safety of passengers and property; penalty for breach of rule . . . . .	} " ss. 22, 25.
Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency; compensation . . . . .	" s. 34.
Offences and penalties . . . . .	" ss. 23 to 28, 30.

## 3. Supplemental.

Application of tolls, rents and compensation received by Government, and fines . . . . .	} " s. 20.
Certain fines payable to lessee of tolls . . . . .	" s. 20.
Arrest without warrant . . . . .	" s. 31.
Payment of damages by offender . . . . .	" s. 32.
Delegation of Local Government's powers . . . . .	" s. 36.

## III.—BOMBAY PRESIDENCY.

## 1. Establishment, etc., and working.

## Public ferries:

Power of Local Government to declare, establish and discontinue . . . . .	} Bom. Act 2, 1868, s. 2.
Tolls to be levied, except on police-officers and persons in custody of police; power of Local Government to exempt persons from payment . . . . .	} " s. 3.
S. 3 rep. as to certain exemptions: general exemption of all persons, property, etc., belonging to the Army . . . . .	Act 2, 1901.
Appointment and salaries of toll-keepers, ferrymen, etc. . . . .	Bom. Act 2, 1868, s. 4.
Leasing of ferries; recovery of arrears from lessee; duties of servants of lessee, etc. . . . .	" ss. 5, 6.
Table of tolls; penalty . . . . .	" s. 8.
Power to make rules as to management, etc.; penalty for breach of rules . . . . .	" s. 12.
Offences and penalties . . . . .	" ss. 8 to 14, 14A.

## 2. Supplemental.

Tolls and rents of public ferries, and fines, to form ferry-fund; application thereof . . . . .	{ Bom. Act 2, 1868, s. 16 (rep. except in Aden and Po. City, Bom. Act 1, 1894, s. 2).
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FERRY—*contd.*III.—BOMBAY PRESIDENCY—*contd.*2. Supplemental—*contd.*

Net proceeds of public ferries, and fines, to be credited to Local Fund constituted by Bombay Local Boards Act, 1884	Bom. Act 1, 1884, s. 44(c).
Trial of offences by Magistrates; recovery of fines	Bom. Act 2, 1868, s. 15.
Payment of damages by offender	" s. 12.
Delegation of Local Government's powers	" s. 17.

## IV.—BURMA

## 1 Preliminary.

Bur. Act 2, 1898, extends to Burma, including Upper Burma (except the Shan States)	Bur. Act 2, 1898, s. 1.
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## 2 Establishment, etc., and working

Public ferries:	
Power of Local Government to declare, establish, change course of and discontinue	" s. 4(a) to (e).
Tolls to be levied; power of Local Government to exempt persons and things from payment; abatement of rent payable by lessee when exemption made	" s. 16.
S. 16 rep. as to certain exemptions: general exemption of all persons, property, etc., belonging to the Army	Act 2, 1
Superintendence of	Bur. Act 2, 1898, s. 5.
Transfer of management of, with proceeds, to Municipality or Town Committee	" s. 6.
Leasing of tolls; lessee to conform to rules and obey lawful orders; recovery of rent, etc., due in respect of lease	" ss. 7, 8.
Lessee may surrender but not transfer lease without permission	" ss. 9, 10.
Cancellation of lease	" s. 11.
Powers of Superintendent	" s. 14.
Power to make rules as to management, etc.; penalty for breach of rules; publication of rules	" ss. 8, 12, 13.
Table and list of tolls; penalty	" s. 18.
Private ferries:	
Not to work within limits of public ferry without sanction; exceptions	" s. 15.
Offences and penalties, arrest without warrant	" ss. 20 to 28.

## 3. Supplemental.

Tolls and rents to be credited to District Fund	Bur. Act 2, 1898, ss. 4(f), 19.
Certain fines payable to lessee of tolls	" s. 30.
Trial of offences	" s. 31.
Payment of damages by offender	" s. 29.
Delegation of powers	" s. 32.
Power to take possession of boats, etc., in case of public emergency	" s. 33.
Bar of suit	" s. 34.
Recovery of revenue payable on account of ferries	{ (U.B.) Reg. 3, 1889, ss. 37 to 46.

FERRY—*contd.*II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*2. Establishment, etc., and working—*contd.*Public ferries—*contd.*

Power to make rules as to management, etc.; penalty for breach of rules	} Ben. Act 1, 1885, ss. 15, 25
Compounding for tolls	
Table and list of tolls; penalty	
	„ ss. 15(c), 21.
	„ ss. 19, 23.

## Private ferries:

Definition	„ s. 5.
Power to declare them to be public ferries; compensation	„ ss. 6, 17.
Not to ply within two miles of public ferry without sanction; exceptions; penalty	} „ ss. 16, 28.
Power of Commissioner to make rules for maintenance of order and for safety of passengers and property; penalty for breach of rule	
Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency; compensation	„ s. 34.
Offences and penalties	„ ss. 23 to 28, 30.

## 3. Supplemental.

Application of tolls, rents and compensation received by Government, and fines	„ s. 20.
Certain fines payable to lessee of tolls	„ s. 29.
Arrest without warrant	„ s. 31.
Payment of damages by offender	„ s. 32.
Delegation of Local Government's powers	„ s. 36.

## III.—BOMBAY PRESIDENCY.

## 1. Establishment, etc., and working

## Public ferries:

Power of Local Government to declare, establish and discontinue	} Bom. Act 2, 1868, s. 2.
Tolls to be levied, except on police-officers and persons in custody of police; power of Local Government to exempt persons from payment	
S. 3 rep. as to certain exemptions: general exemption of all persons, property, etc., belonging to the Army	Act 2, 1901.
Appointment and salaries of toll-keepers, ferrymen, etc.	Bom. Act 2, 1868, s. 4.
Leasing of ferries; recovery of arrears from lessee; duties of servants of lessee, etc.	„ ss. 5, 6.
Table of tolls; penalty	„ s. 8.
Power to make rules as to management, etc.; penalty for breach of rules	„ s. 12.
Offences and penalties	„ ss. 8 to 14, 14A.

## 2 Supplemental.

Tolls and rents of public ferries, and fines, to form ferry-fund; application thereof	} Bom. Act 2, 1868, s. 16 (rep. except in Aden and Bo. City, Bom. Act 1, 1894, s. 2).

FERRY—*contd.*III.—BOMBAY PRESIDENCY—*contd.*2. Supplemental—*contd.*

Net proceeds of public ferries, and fines, to be credited to Local Fund constituted by Bombay Local Boards Act, 1884	Bom. Act 1, 1884, s. 44(c).
Trial of offences by Magistrates; recovery of fines	Bom. Act 2, 1863, s. 15.
Payment of damages by offender	" s. 12.
Delegation of Local Government's powers	" s. 17.

## IV.—BURMA

## 1. Preliminary.

Bur. Act 2, 1898, extends to Burma, including Upper Burma (except the Shan States)	Bur. Act 2, 1898, s. 1.
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## 2 Establishment, etc, and working

## Public ferries.

Power of Local Government to declare, establish, change course of and discontinue	" s. 4(a) to (e).
Tolls to be levied; power of Local Government to exempt persons and things from payment; abatement of rent payable by lessee when exemption made	" s. 16.
S. 16 rep. as to certain exemptions: general exemption of all persons, property, etc., belonging to the Army	Act 2, 1
Superintendence of	Bur. Act 2, 1898, s. 5.
Transfer of management of, with proceeds, to Municipality or Town Committee	" s. 6.
Leasing of tolls; lessee to conform to rules and obey lawful orders; recovery of rent, etc., due in respect of lease	" ss. 7, 8.
Lessee may surrender but not transfer lease without permission	" ss. 9, 10.
Cancellation of lease	" s. 11.
Powers of Superintendent	" s. 14.
Power to make rules as to management, etc.; penalty for breach of rules; publication of rules	" ss. 8, 12, 13.
Table and list of tolls; penalty	" s. 18.
<b>Private ferries:</b>	
Not to ply within limits of public ferry without sanction; exceptions	" s. 15.
Offences and penalties; arrest without warrant	" ss. 20 to 28.

## 3. Supplemental.

Tolls and rents to be credited to District Fund	Bur. Act 2, 1898, ss. 4(f), 19.
Certain fines payable to lessee of tolls	" s. 30.
Trial of offences	" s. 31.
Payment of damages by offender	" s. 29.
Delegation of powers	" s. 32.
Power to take possession of boats, etc., in case of public emergency	" s. 33.
Bar of suit	" s. 34.
Recovery of revenue payable on account of ferries	{ (U.B.) Reg. 3, 1889, ss. 37 to 46.

FERRY—*concl'd.*

## V.—MADRAS PRESIDENCY.

## 1. Preliminary.

Definition of "vessel," "ferry" and "public ferry" . . . . . Mad. Act 2, 1890, s. 3.

## 2. Establishment, etc., and working.

Power to declare ferry to be subject to Act; cessation of pre- existing rights; compensation . . . . .	"	ss. 8, 9.
Management of public ferries; licensing ferry-boats; imposition of fees for licenses and tolls for use of ferry . . . . .	"	s. 10.
Transfer of management of public ferry, with revenue therefrom, to Local Board or Municipal Council; powers of Board or Council . . . . .	"	s. 11.
Collection or leasing of fees or tolls . . . . .	"	s. 12.
Recovery of dues . . . . .	"	ss. 13, 14.
Form and conditions of licenses . . . . .	"	s. 15.
Rules: power to make; penalty for breach of . . . . .	"	ss. 16, 17.
Penalty for establishing or working ferry contrary to Act . . . . .	"	18.
" " evasion of, or unauthorised collection of, toll or fee . . . . .	"	s. 19.

## 3 Supplemental

Confiscation of vessel, etc., on conviction of offence . . . . . " s. 20.

FILTH.

Removal of. *See cross-references from DRAINS, LATRINES AND  
OTHER RECEPTACLES FOR FILTH.*

FINANCE ACT, 1894. (*See DEATH DUTIES*) . . . . . 57-8 V. c. 30.

## FINANCE.

1857-8. 21-2 V. c. 106, ss. 2, 41 to 43, 45, 47 to 49, 51 to 53, 55 (Control of Secre- tary of State, etc.).	1879. 42-3 V. c. 60[1] (Loan).
1859. 22 V. c. 11[1] (Loan).	1880. 43 V. c. 10 (Loan).
" 22-3 V. c. 39[1] (Loan).	" 43 V. c. 11[1] (Stock).
" 22-3 V. c. 41, s. 3 (Bank of England).	1881. 44-5 V. c. 53 (Stock).
1860. 23-4 V. c. 5 [1] (Loan).	" 44-5 V. c. 53 (Auditors).
" 23-4 V. c. 102[1] (Stock).	1884-5. 48-9 V. c. 25[1] (Unclaimed Stock, etc.).
" 23-4 V. c. 130[1] (Loan).	" 48-9 V. c. 28[1] (Loan).
1861. 24-5 V. c. 3, s. 10 (Stock).	1857. 50-1 V. c. 11 (Stock Conversion).
" 24-5 V. c. 25[1] (Loan).	1888. 51-2 V. c. 5 (Railways).
1862. 25-6 V. c. 7[1] (Stock).	1890. 53-4 V. c. 6 (South Indian Railway).
1869. 32-3 V. c. 106[1] (Loan).	1893. 56-7 V. c. 53, s. 1 (Stock).
1871. 34-5 V. c. 23[1] (Stock).	" 56-7 V. c. 70[1] (Loan).
1873. 36-7 V. c. 17[1] (Stock).	1897. 60 V. c. 11 (Funds).
" 36-7 V. c. 32[1] (Loan).	1898. 61-2 V. c. 13 (Loan).
1874. 37-8 V. c. 3[1] (Loan).	1901. 1 Edw. 7, c. 25 (Loan).
1877. 40-1 V. c. 51[1] (Loan).	1905. 5 Edw. 7, c. 10 (Loan).
1879. 42-3 V. c. 43 (Stock).	1908. 8 Edw. 7, c. 54 (Loan).
	1910. 10 Edw. 7, c. 5 (Loan).

FINANCE—*contd.*

Control by Secretary of State in Council, and application of Indian revenues . . . . .	{	21-2V.c.106,ss.21,41to43, 45,47to49, 51to53.
Account of Secretary of State in Council at Bank of England; management and transfer of stock at Banks of England and Ireland; certificates of title, etc. . . . .	{	" ss.43,45,47,48, 22-3V.c.41,s.3. 23-4V.c.102. 24-5V.c.3,s.10. 25-6V.c.7. 36-7V.c.17. 43V.c.11.
Audit of accounts of expenditure, etc., in Great Britain, and appointment, salaries, etc., of auditor and assistants . . . . .	{	21-2V.c.106,s.52. 44-5V.c.63.
Accounts to be laid annually before Parliament, and half-yearly returns as to loans . . . . .	{	21-2V.c.106,s.53. 37-8V.c.3,s.15. 42-3V.c.60,s.15. 22V.c.11. 22-3V.c.39. 23-4V.c.5. 23-4V.c.130. 24-5V.c.25. 32-3V.c.106. 36-7V.c.32. 37-8V.c.3. 40-1V.c.51. 42-3V.c.60. 43V.c.10. 48-9V.c.28. 56-7V.c.70. 61-2V.c.13. 1Edw.7,c.25. 5Edw.7,c.19. 8Edw.7,c.54. 10Edw.7,c.5.
Borrowing by Secretary of State in Council on security of Indian revenues; composition for stamp-duty; forgery of bonds and debentures, and provisions as to loans . . . . .	{	
" for purchase of Oudh. etc, railway, and construction of other railways . . . . .	{	51-2V.c.5. 53-4V.c.6
" " " South Indian Railway . . . . .	{	50-1V.c.11,s.3. 51-2V.c.5,s.18. 53-4V.c.6,s.17. 56-7V.c.53,s.1. 23-4V.c.5,s.2. 34-5V.c.29.
Power to trustees to invest in East India stock . . . . .	{	43V.c.10,s.16. 43V.c.11,s.4.
Transfers of Indian Government loans exempt from stamp-duty . . . . .	{	36-7V.c.17,ss.16to18.
Sending dividend warrants by post . . . . .	{	
Management of security fund, and redemption of East India stock dividends . . . . .	{	
Transfer to Secretary of State of unclaimed redemption money and dividends for 10 years from 1874 . . . . .	{	" ss.24,25,27 to34,37.
" " " of unclaimed redemption moneys, stock and dividends generally . . . . .	{	48-9V.c.25,ss.2to16.
" " " of Regular and Elders Widows' Funds . . . . .	{	60V.c.11.
Creation of stock for purchase of annuity created under East Indian Railway Company Purchase Act, 1879, or for redemption of other liabilities, and creation of sinking fund for reduction of debt . . . . .	{	42-3V.c.43. 44-5V.c.53. 48-9V.c.25,s.25[1].

[1] See also 53 &amp; 56 Vict. c. 10, s. 29.



FERRY—*concl'd.*

## V.—MADRAS PRESIDENCY.

## 1 Preliminary.

Definition of "vessel," "ferry" and "public ferry" . . . Mad. Act 2, 1890, s. 3.

## 2. Establishment, etc., and working.

Power to declare ferry to be subject to Act; cessation of pre-existing rights; compensation . . . . .	"	s. 8, 9.
Management of public ferries; licensing ferry-boats; imposition of fees for licenses and tolls for use of ferry . . . . .	"	s. 10.
Transfer of management of public ferry, with revenue therefrom, to Local Board or Municipal Council; powers of Board or Council . . . . .	"	s. 11.
Collection or leasing of fees or tolls . . . . .	"	s. 12.
Recovery of dues . . . . .	"	s. 13, 14.
Form and conditions of licenses . . . . .	"	s. 15.
Rules: power to make, penalty for breach of . . . . .	"	s. 16, 17.
Penalty for establishing or working ferry contrary to Act . . . . .	"	s. 18.
" " evasion of, or unauthorised collection of, toll or fee . . . . .	"	s. 19.

## 3 Supplemental

Confiscation of vessel, etc., on conviction of offence . . . . . " s. 20.

## FILTH.

Removal of. *See cross-references from DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.*

FINANCE ACT, 1894. (*See DEATH DUTIES*) . . . . . 57-8 V. c. 30.

## FINANCE.

1857-8. 21-2 V. c. 106, ss. 2, 41 to 43, 45, 47 to 49, 51 to 53, 55 (Control of Secretary of State, etc.).	1879. 42-3 V. c. 60[1] (Loan).
1859. 22 V. c. 11[1] (Loan).	1880. 43 V. c. 10 (Loan).
" 22-3 V. c. 39[1] (Loan).	" 43 V. c. 11[1] (Stock).
" 22-3 V. c. 41, s. 3 (Bank of England)	1881. 44-5 V. c. 53 (Stock).
1860. 23-4 V. c. 5[1] (Loan).	" 44-5 V. c. 53 (Auditors).
" 23-4 V. c. 10[1] (Stock).	1884-5. 48-9 V. c. 25[1] (Unclaimed Stock, etc.).
" 23-4 V. c. 130[1] (Loan).	" 48-9 V. c. 28[1] (Loan).
1861. 24-5 V. c. 3, s. 10 (Stock).	1887. 50-1 V. c. 11 (Stock Conversion).
" 24-5 V. c. 25[1] (Loan).	1888. 51-2 V. c. 5 (Railways).
1862. 25-6 V. c. 7[1] (Stock).	1890. 53-4 V. c. 6 (South Indian Railway).
1869. 32-3 V. c. 106[1] (Loan).	1893. 56-7 V. c. 53, s. 1 (Stock).
1871. 34-5 V. c. 29[1] (Stock).	" 56-7 V. c. 70[1] (Loan).
1873. 36-7 V. c. 17[1] (Stock).	1897. 60 V. c. 11 (Funds).
" 36-7 V. c. 32[1] (Loan).	1898. 61-2 V. c. 13 (Loan).
1874. 37-8 V. c. 3[1] (Loan).	1901. 1 Edw. 7, c. 25 (Loan).
1877. 40-1 V. c. 51[1] (Loan).	1905. 5 Edw. 7, c. 19 (Loan).
1879. 42-3 V. c. 43 (Stock).	1908. 8 Edw. 7, c. 54 (Loan).
	1910. 10 Edw. 7, c. 5 (Loan).

FINANCE—*contd.*

Control by Secretary of State in Council, and application of Indian revenues . . . . .	{ 21-2V.c.106,ss.21,41to43, 45,47to49, 51to53.
Account of Secretary of State in Council at Bank of England; management and transfer of stock at Banks of England and Ireland; certificates of title, etc. . . . .	{ " ss 43,45,47,48, 22-3V.c.41,s.3. 23-4V.c.102. 24-5V.c.3,s.10. 25-6V.c.7. 36-7V.c.17. 43V.c.11.
Audit of accounts of expenditure, etc., in Great Britain, and appointment, salaries, etc., of auditor and assistants . . . . .	{ 21-2V.c.106,s.52. 44-5V.c.63.
Accounts to be laid annually before Parliament, and half-yearly returns as to loans . . . . .	{ 21-2V.c.106,s.53. 37-8V.c.3,s.15. 42-3V.c.60,s.15. 22V.c.11. 22-3V.c.39. 23-4V.c.5. 23-4V.c.130. 24-5V.c.25. 32-3V.c.106. 36-7V.c.32. 37-8V.c.3. 40-1V.c.51. 42-3V.c.60. 43V.c.10. 48-9V.c.28. 56-7V.c.70. 61-2V.c.13. 1Edw.7,c.25. 5Edw.7,c.19. 8Edw.7,c.54. 10Edw.7,c.5.
Borrowing by Secretary of State in Council on security of Indian revenues; composition for stamp-duty; forgery of bonds and debentures, and provisions as to loans . . . . .	{ 43V.c.10. 48-9V.c.28. 56-7V.c.70. 61-2V.c.13. 1Edw.7,c.25. 5Edw.7,c.19. 8Edw.7,c.54. 10Edw.7,c.5.
" for purchase of Oudh, etc., railway, and construction of other railways . . . . .	{ 51-2V.c.5. 53-4V.c.6.
" " " South Indian Railway . . . . .	{ 50-1V.c.11,s.3. 51-2V.c.5,s.18. 53-4V.c.6,s.17. 56-7V.c.53,s.1. 23-4V.c.5,s.2. 34-5V.c.29.
Power to trustees to invest in East India stock . . . . .	{ 43V.c.10,s.16. 43V.c.11,s.4.
Transfers of Indian Government loans exempt from stamp-duty . . . . .	{ 36-7V.c.17,ss.16to18.
Sending dividend warrants by post . . . . .	{ 43V.c.10,s.16. 43V.c.11,s.4.
Management of security fund, and redemption of East India stock dividends . . . . .	{ 36-7V.c.17,ss.16to18.
Transfer to Secretary of State of unclaimed redemption money and dividends for 10 years from 1874 . . . . .	{ " ss.24,25,27 to34,37.
" " " of unclaimed redemption moneys, stock and dividends generally . . . . .	{ 48-9V.c.25,ss.2to16.
" " " of Regular and Elders Widows' Funds . . . . .	{ 60V.c.11.
Creation of stock for purchase of annuity created under East Indian Railway Company Purchase Act, 1879, or for redemption of other liabilities, and creation of sinking fund for reduction of debt . . . . .	{ 42-3V.c.43. 44-5V.c.53. 48-9V.c.25,s.25[1].

FINANCE.—*concl'd.*

Half-yearly returns as to sinking fund under East Indian Railway Company Purchase Act, 1879 . . . . .	42-3V.c.43,s.7.
Loan for paying off debentures of East Indian Railway Company . . . . .	43V.c.10.
Repayment to Secretary of State of unclaimed East Indian Railway annuities, and of unclaimed sums paid for discharge of guaranteed railway debentures . . . . .	48-9V.c.25,ss.17to20.
Transfers to or by Secretary of State exempt from stamp-duty . . . . .	" s.21.
Conversion of India 4 per cent. stock into 3½ per cent. stock . . . . .	50-IV.c.11.
Restriction on applying Indian revenues for operations beyond frontier . . . . .	21-2V.c.106,s.55.

*See also FUNDS ; GOVERNMENT OF INDIA, 1, 2 (d) ; TAXES.*

## FINANCIAL COMMISSIONER, BURMA.

Power to appoint and remove . . . . .	Act18,1888,s.2.
Subordination of, to Local Government ; his functions . . . . .	" s.3.
To be "Chief Revenue-authority" and "Chief Controlling Revenue-authority" . . . . .	" s.4.
Delegation to, of certain functions of Local Government . . . . .	" s.5.
Upper Burma. <i>See LAND-REVENUE, X, 1, 4.</i>	

## FINANCIAL COMMISSIONER, CENTRAL PROVINCES.

Appointment, etc., of ; assignment of powers to . . . . .	Act13,1908,ss 2,3.
Subordination of, to Local Government, and subordination of other revenue-officers to . . . . .	Act18,1891,s 6(sub.Act13, 1908,s.4).

## FINANCIAL COMMISSIONER, PUNJAB.

Appointment, etc., of one or more . . . . .	Act17,1887,ss.6,7.
Subordination of, to Local Government . . . . .	" s.11.
Distribution of business, and procedure on difference of opinion, among, if more than one . . . . .	" s 7(2),(3).
Powers and functions of . . . . .	" ss.6,7,9,11,12, 24.
Powers of Local Government to confer on any person the powers of . . . . .	" s.27.

*See also LAND-REVENUE, XV.*

## FINDER.

Responsibility and rights of ( <i>See also TREASURE TROVE</i> ) . . . . .	Act9,1872,ss.71,168,169.
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## FINES.

*See CRIMINAL LAW (INDIAN), 2.*

General provisions for recovery of. *See CRIMINAL PROCEDURE (INDIAN), 9 (3).*

FINE ARTS COPYRIGHT ACT, 1862 [1] ( <i>See COPYRIGHT</i> ) . . . . .	25-6V.c.68.
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## FIRE.

## I.—BENGAL ACT 1, 1893

## 1. Preliminary.

Ben. Act 1, 1893, applies to Calcutta and suburbs and to Howrah, and may be extended to other municipalities in the neighbourhood by notification . . . . .	Ben. Act1,1893,s.1.
Definitions . . . . .	" s.3.

[1] This short title was given by 59 & 60 Vct. c. 14.

FIRE—*contd.*I.—BENGAL ACT, 1, 1893—*contd.*

## 2. Warehouses for storing, pressing or keeping jute, cotton or other inflammable substances.

What buildings or places subject to Act "as warehouses"	Ben. Act 1, 1893, s 3(8).
Power of Local Government to apply Act to other buildings and places	" s.40.
Act not to apply to buildings or places containing small quantities of jute, cotton, etc.	" s.45.
Not to be used unless licensed by Municipal Commissioners	" s.4.
Provisions as to grant, refusal, conditions and duration of license and annual fee payable therefor	" ss.5 to 10A, 24.
Form of license	" s.44, Sch.
Report and fee on charge in occupation of warehouse; penalty	" ss 11, 17.
Suspension and cancellation of license	" ss.12, 13.
Penalties for breach of provisions of Act as to licenses	" ss.14 to 16, 18.
Penalty for preparing or drying inflammable substance on roof of warehouse	" s 19.
" " residing in jute or cotton warehouse	" s.20.
" " using matches or artificial light in jute or cotton warehouse without proper protection	" s.21.
" " smoking in jute or cotton warehouse	" s.22.
Annual report by Municipal Commissioners as to working of Act	" s.41.

## 3 Fire-brigade

Commissioner of Police to maintain	" s.30.
Power of Local Government to make orders as to maintenance, etc., of	" s.31.
Powers exercisable by officer in charge of, and by police, on occasion of fire, indemnity	" ss.32 to 34.
Officer in charge of, to enquire into cause of fire and report to Magistrate; copies of reports and evidence to be furnished to applicants	" s.35.
Annual report by Commissioner of Police to Local Government as to	" s.41.
Funds	
Annual estimate of receipts and expenditure on account of brigade	" s.26.
Power of Municipal Commissioners to levy rates for maintenance of brigade	" s.25.
Such rates to form part of the consolidated rate imposed under the Calcutta Municipal Act	" s.28.
Recovery of such rates	"
Payments to be made to Commissioner of Police by Municipal Commissioners to meet cost of brigade	" s.23.
Proportionate liability of the several Municipalities for cost of brigade	" s.29.
License-fees, rates and fines to be appropriated to maintenance of brigade	" ss.24, 36(2).
Jute warehouse funds of certain Municipalities appropriated to Fire Brigade Fund	" s.27.